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County Hall
Rhadyr
Usk
NP15 1GA

Monday, 27 January 2025

Notice of meeting:

Planning Committee

Tuesday, 4th February, 2025 at 2.00 pm,
Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with
remote attendance

AGENDA

| Item No | Item | Pages |
|---------|--|----------|
| 1. | Apologies for Absence. | |
| 2. | Declarations of Interest. | |
| 3. | To confirm for accuracy the minutes of the previous meeting. | 1 - 6 |
| 4. | To consider the following Planning Application reports from the Chief Officer, Place (copies attached): | |
| 4.1. | Application DM/2022/00235 - Stables and barn. Upper Maerdy Farm Red Hill To The B4235 Llangeview Usk Monmouthshire. | 7 - 16 |
| 4.2. | Application DM/2022/01525 - Construction of proposed bungalow with parking on land at rear of 11 Park Close. Land rear of 11 Park Close, Abergavenny, NP7 5SU. | 17 - 26 |
| 4.3. | Application DM/2024/00422 - Proposed development for residential dwellings and associated landscaping and infrastructure. Commercial Land at Mabey Bridge Mabey Bridge Station Road Chepstow, Monmouthshire. | 27 - 52 |
| 4.4. | Application DM/2024/00557 - Proposed development of 50 affordable dwellings, sustainable drainage proposals, landscape planting, car parking and associated works. Land Off Tudor Road Wyesham Monmouth. | 53 - 100 |

Paul Matthews
Chief Executive

MONMOUTHSHIRE COUNTY COUNCIL

THE CONSTITUTION OF THE PLANNING COMMITTEE IS AS FOLLOWS:

| | | |
|-----------------------------------|-----------------------------------|---------------------------|
| County Councillor Jill Bond | West End; | Welsh Labour/Llafur Cymru |
| County Councillor Fay Bromfield | Llangybi Fawr; | Welsh Conservative Party |
| County Councillor Emma Bryn | Wyesham; | Independent Group |
| County Councillor Jan Butler | Goetre Fawr; | Welsh Conservative Party |
| County Councillor John Crook | Magor East with Undy; | Welsh Labour/Llafur Cymru |
| County Councillor Tony Easson | Dewstow; | Welsh Labour/Llafur Cymru |
| County Councillor Steven Garratt | Overmonnow; | Welsh Labour/Llafur Cymru |
| County Councillor Meirion Howells | Llanbadoc & Usk; | Independent |
| County Councillor Su McConnel | Croesonen; | Welsh Labour/Llafur Cymru |
| County Councillor Jayne McKenna | Mitchel Troy and Trellech United; | Welsh Conservative Party |
| County Councillor Phil Murphy | Caerwent; | Welsh Conservative Party |
| County Councillor Maureen Powell | Pen Y Fal; | Welsh Conservative Party |
| County Councillor Sue Riley | Bulwark and Thornwell; | Welsh Labour/Llafur Cymru |
| County Councillor Dale Rooke | Chepstow Castle & Larkfield; | Welsh Labour/Llafur Cymru |
| County Councillor Ann Webb | St Arvans; | Welsh Conservative Party |
| County Councillor Laura Wright | Grofield; | Welsh Labour/Llafur Cymru |

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Public Information

Any person wishing to speak at Planning Committee must do so by registering with Democratic Services by no later than 12 noon two working days before the meeting. Details regarding public speaking can be found within this agenda

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 may be viewed online by visiting the link below.

<https://democracy.monmouthshire.gov.uk/ieListMeetings.aspx?Committeeld=141>

This will take you to the page relating to all Planning Committee meetings. Please click on the relevant Planning Committee meeting. You will then find the link to view the meeting on this page. Please click the link to view the meeting.

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 5 days notice prior to the meeting should you wish to speak in Welsh so we can accommodate your needs.

Aims and Values of Monmouthshire County Council

Our purpose

To become a zero-carbon county, supporting well-being, health and dignity for everyone at every stage of life.

Objectives we are working towards

- Fair place to live where the effects of inequality and poverty have been reduced.
- Green place to live and work with reduced carbon emissions and making a positive contribution to addressing the climate and nature emergency.
- Thriving and ambitious place, where there are vibrant town centres and where businesses can grow and develop.
- Safe place to live where people have a home where they feel secure in.
- Connected place where people feel part of a community and are valued.
- Learning place where everybody has the opportunity to reach their potential.

Our Values

Openness. We are open and honest. People have the chance to get involved in decisions that affect them, tell us what matters and do things for themselves/their communities. If we cannot do something to help, we'll say so; if it will take a while to get the answer we'll explain why; if we can't answer immediately we'll try to connect you to the people who can help – building trust and engagement is a key foundation.

Fairness. We provide fair chances, to help people and communities thrive. If something does not seem fair, we will listen and help explain why. We will always try to treat everyone fairly and consistently. We cannot always make everyone happy, but will commit to listening and explaining why we did what we did.

Flexibility. We will continue to change and be flexible to enable delivery of the most effective and efficient services. This means a genuine commitment to working with everyone to embrace new ways of working.

Teamwork. We will work with you and our partners to support and inspire everyone to get involved so we can achieve great things together. We don't see ourselves as the 'fixers' or problem-solvers, but we will make the best of the ideas, assets and resources available to make sure we do the things that most positively impact our people and places.

Kindness: We will show kindness to all those we work with putting the importance of relationships and the connections we have with one another at the heart of all interactions.

Purpose

The purpose of the attached reports and associated officer presentation to the Committee is to allow the Planning Committee to make a decision on each application in the attached schedule, having weighed up the various material planning considerations.

The Planning Committee has delegated powers to make decisions on planning applications. The reports contained in this schedule assess the proposed development against relevant planning policy and other material planning considerations, and take into consideration all consultation responses received. Each report concludes with an officer recommendation to the Planning Committee on whether or not officers consider planning permission should be granted (with suggested planning conditions where appropriate), or refused (with suggested reasons for refusal).

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the Monmouthshire Local Development Plan 2011-2021 (adopted February 2014), unless material planning considerations indicate otherwise.

Section 2(2) of the Planning (Wales) Act 2015 states that the planning function must be exercised, as part of carrying out sustainable development in accordance with the Well-being of Future Generations (Wales) Act 2015, for the purpose of ensuring that the development and use of land contribute to improving the economic, social, environmental and cultural well-being of Wales.

The decisions made are expected to benefit the County and our communities by allowing good quality development in the right locations, and resisting development that is inappropriate, poor quality or in the wrong location. There is a direct link to the Council's objective of building sustainable, resilient communities.

Decision-making

Applications can be granted subject to planning conditions. Conditions must meet all of the following criteria:

- Necessary to make the proposed development acceptable;
- Relevant to planning legislation (i.e. a planning consideration);
- Relevant to the proposed development in question;
- Precise;
- Enforceable; and
- Reasonable in all other respects.

Applications can be granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended). This secures planning obligations to offset the impacts of the proposed development. However, in order for these planning obligations to be lawful, they must meet all of the following criteria:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

The applicant has a statutory right of appeal against the refusal of permission in most cases, or against the imposition of planning conditions, or against the failure of the Council to determine an application within the statutory time period. There is no third party right of appeal against a decision.

The Planning Committee may make decisions that are contrary to the officer recommendation. However, reasons must be provided for such decisions, and the decision must be based on the Local Development Plan (LDP) and/or material planning considerations. Should such a decision be challenged at appeal, Committee Members will be required to defend their decision throughout the appeal process.

Planning policy context

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

Monmouthshire's Local Development Plan (LDP) 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 a 10 year period to 2021. The plan area excludes that part of the County contained within the Brecon Beacons National Park. It has a fundamental role in delivering sustainable development. In seeking to achieve this it sets out a framework for the development and use of land and for the protection of the environment. It also guides and facilitates investment decisions as well as the delivery of services and infrastructure. It determines the level of provision and location of new housing, employment and other uses and sets the framework for considering all land use proposals during the plan period. The LDP contains over-arching policies on development and design. Rather than repeat these for each application, the full text is set out below 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 or 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.

Other key relevant LDP policies will be referred to in the officer report.

Supplementary Planning Guidance (SPG):

The following Supplementary Planning Guidance may also be of relevance to decision-making as a material planning consideration:

- Green Infrastructure (adopted April 2015)
- Conversion of Agricultural Buildings Design Guide (adopted April 2015)
- LDP Policy H4(g) Conversion/Rehabilitation of Buildings in the Open Countryside to Residential Use- Assessment of Re-use for Business Purposes (adopted April 2015)
- LDP Policies H5 & H6 Replacement Dwellings and Extension of Rural Dwellings in the Open Countryside (adopted April 2015)
- Abergavenny Conservation Area Appraisal (adopted March 2016)
- Caerwent Conservation Area Appraisal (adopted March 2016)
- Chepstow Conservation Area Appraisal (adopted March 2016)
- Grosmont Conservation Area Appraisal (adopted March 2016)
- Llanarth Conservation Area Appraisal (adopted March 2016)
- Llandenny Conservation Area Appraisal (adopted March 2016)
- Llandogo Conservation Area Appraisal (adopted March 2016)
- Llanover Conservation Area Appraisal (adopted March 2016)
- Llantilio Crossenny Conservation Area Appraisal (adopted March 2016)
- Magor Conservation Area Appraisal (adopted March 2016)
- Mathern Conservation Area Appraisal (adopted March 2016)
- Monmouth Conservation Area Appraisal (adopted March 2016)
- Raglan Conservation Area Appraisal (adopted March 2016)
- Shirenewton Conservation Area Appraisal (adopted March 2016)
- St Arvans Conservation Area Appraisal (adopted March 2016)
- Tintern Conservation Area Appraisal (adopted March 2016)
- Trellech Conservation Area Appraisal (adopted April 2012)
- Usk Conservation Area Appraisal (adopted March 2016)
- Whitebrook Conservation Area Appraisal (adopted March 2016)
- Domestic Garages (adopted January 2013)
- Monmouthshire Parking Standards (adopted January 2013)
- Approach to Planning Obligations (March 2013)
- Affordable Housing (revised version) (adopted July 2019)

- Renewable Energy and Energy Efficiency (adopted March 2016)
- Planning Advice Note on Wind Turbine Development Landscape and Visual Impact Assessment Requirements (adopted March 2016)
- Primary Shopping Frontages (adopted April 2016)
- Rural Conversions to a Residential or Tourism Use (Policies H4 and T2) Supplementary Planning Guidance November 2017
- Sustainable Tourism Accommodation Supplementary Guidance November 2017
- Affordable Housing Supplementary Guidance July 2019
- Infill Development Supplementary Guidance November 2019

National Planning Policy

The following national planning policy may also be of relevance to decision-making as a material planning consideration:

- Future Wales: the national plan 2040
- Planning Policy Wales (PPW) edition12
- PPW Technical Advice Notes (TAN):
 - TAN 1: Joint Housing Land Availability Studies (2015)
 - TAN 2: Planning and Affordable Housing (2006)
 - TAN 3: Simplified Planning Zones (1996)
 - TAN 4: Retailing and Town Centres (1996)
 - TAN 5: Nature Conservation and Planning (2009)
 - TAN 6: Planning for Sustainable Rural Communities (2010)
 - TAN 7: Outdoor Advertisement Control (1996)
 - TAN 8: Renewable Energy (2005)
 - TAN 9: Enforcement of Planning Control (1997)
 - TAN 10: Tree Preservation Orders (1997)
 - TAN 11: Noise (1997)
 - TAN 12: Design (2016)
 - TAN 13: Tourism (1997)
 - TAN 15: Development, flooding and coastal erosion (2021)
 - TAN 16: Sport, Recreation and Open Space (2009)
 - TAN 18: Transport (2007)
 - TAN 19: Telecommunications (2002)
 - TAN 20: The Welsh Language (2013)
 - TAN 21: Waste (2014)
 - TAN 23: Economic Development (2014)
 - TAN 24: The Historic Environment (2017)
- Minerals Technical Advice Note (MTAN) Wales 1: Aggregates (30 March 2004)
- Minerals Technical Advice Note (MTAN) Wales 2: Coal (20 January 2009)
- Welsh Government Circular 016/2014 on planning conditions

Other matters

The following other legislation may be of relevance to decision-making.

Planning (Wales) Act 2015

As of January 2016, Sections 11 and 31 of the Planning Act come into effect meaning the Welsh language is a material planning consideration.

Section 31 of the Planning Act clarifies that considerations relating to the use of the Welsh language can be taken into account by planning authorities when making decisions on applications for planning permission, so far as material to the application. The provisions do not apportion any additional weight to the Welsh language in comparison to other material

considerations. Whether or not the Welsh language is a material consideration in any planning application remains entirely at the discretion of the local planning authority, and the decision whether or not to take Welsh language issues into account should be informed by the consideration given to the Welsh language as part of the LDP preparation process. Section 11 requires the sustainability appraisal, undertaken as part of LDP preparation, to include an assessment of the likely effects of the plan on the use of Welsh language in the community. Where the authority's current single integrated plan has identified the Welsh language as a priority, the assessment should be able to demonstrate the linkage between consideration for the Welsh language and the overarching Sustainability Appraisal for the LDP, as set out in TAN 20.

The adopted Monmouthshire Local Development Plan (LDP) 2014 was subject to a sustainability appraisal, taking account of the full range of social, environmental and economic considerations, including the Welsh language. Monmouthshire has a relatively low proportion of population that speak, read or write Welsh compared with other local authorities in Wales and it was not considered necessary for the LDP to contain a specific policy to address the Welsh language. The conclusion of the assessment of the likely effects of the plan on the use of the Welsh language in the community was minimal.

Environmental Impact Assessment Regulations 2016

The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 are relevant to the recommendations made. The officer report will highlight when an Environmental Statement has been submitted with an application.

Conservation of Habitat & Species Regulations 2017

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. Examples of EPS are all bat species, dormice and great crested newts. When considering planning applications 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. The three tests are set out below.

- (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.
- (ii) There is no satisfactory alternative
- (iii) The derogation is not detrimental to the maintenance of the population of the species concerned by a favourable conservation status in their natural range.

Well-being of Future Generations (Wales) Act 2015

This Act is about improving the social, economic, environmental and cultural well-being of Wales. The Act sets out a number of well-being goals:

- **A prosperous Wales:** efficient use of resources, skilled, educated people, generates wealth, provides jobs;
- **A resilient Wales:** maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change);
- **A healthier Wales:** people's physical and mental wellbeing is maximised and health impacts are understood;
- **A Wales of cohesive communities:** communities are attractive, viable, safe and well connected;
- **A globally responsible Wales:** taking account of impact on global well-being when considering local social, economic and environmental wellbeing;

- **A Wales of vibrant culture and thriving Welsh language:** culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation;
- **A more equal Wales:** people can fulfil their potential no matter what their background or circumstances.

A number of sustainable development principles are also set out:

- **Long term:** balancing short term need with long term and planning for the future;
- **Collaboration:** working together with other partners to deliver objectives;
- **Involvement:** involving those with an interest and seeking their views;
- **Prevention:** putting resources into preventing problems occurring or getting worse;
- **Integration:** positively impacting on people, economy and environment and trying to benefit all three.

The work undertaken by Local Planning Authority directly relates to promoting and ensuring sustainable development and seeks to strike a balance between the three areas: environment, economy and society.

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. Crime and fear of crime can be a material planning consideration. This topic will be highlighted in the officer report where it forms a significant consideration for a proposal.

Equality Act 2010

The Equality Act 2010 contains a public sector equality duty to integrate consideration of equality and good relations into the regular business of public authorities. The Act identifies a number of 'protected characteristics': age; disability; gender reassignment; marriage and civil partnership; race; religion or belief; sex; and sexual orientation. Compliance is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. Due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the needs of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Children and Families (Wales) Measure

Consultation on planning applications is open to all of our citizens regardless of their age: no targeted consultation takes place specifically aimed at children and young people. Depending on the scale of the proposed development, applications are publicised via letters to neighbouring occupiers, site notices, press notices and/or social media. People replying to consultations are not required to provide their age or any other personal data, and therefore this data is not held or recorded in any way, and responses are not separated out by age.

Climate Emergency

In May 2019 Monmouthshire County Council declared a Climate Emergency with unanimous support from Councillors. The Cabinet Member for Infrastructure and Neighbourhood Services has been appointed as the member responsible for climate change and decarbonisation.

Tackling climate change is very important, because if the planet's temperature rises by 2°C there are risks of drought, flood and poverty, impacting on hundreds of millions of people. In Monmouthshire impacts that could happen include more extreme weather events (such as storms), water shortages, droughts, species loss and risk of flooding. Planning has a key role in addressing climate change through the promotion of sustainable development.

The Council has formulated a draft action plan which will be subject to Member approval and will form the Council's response to tackling this issue. Council decisions will need to take into account the agreed action plan.

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. **The conventional protocol has been modified to allow public speaking via pre-recorded videos or to attend the meeting in person and address the Planning Committee.**

Who Can Speak

Community and Town Councils

Community and town councils can address Planning Committee via a pre-recorded video or in person at the meeting.. 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.

When a town or community councillor has registered to speak in opposition to an application, the applicant or agent will be allowed the right of reply.

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 may 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, by the deadline, letters of objection/support or signatures on a petition have been submitted to the Council from 5 or more separate households/organisations (in this context organisations would not include community or town councils or statutory consultees which have their own method of ensuring an appropriate application is considered at Committee) The deadline referred to above is 5pm on the day six clear working days prior to the Committee meeting. This will normally be 5pm on the Friday six clear working days before the Tuesday Planning Committee meeting. However, the deadline may be earlier, for example if there is a Bank Holiday Monday.

The number of objectors and/or supporters will be clearly stated in the officer's report for the application contained in the published agenda.

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, have registered to address committee in opposition to an application. This will also be via a pre-recorded video or in person at the Planning Committee meeting.

When is speaking permitted?

Public speaking will normally only be permitted on one occasion where 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. The final decision lies with the Chair.

Registering Requests to Speak

Speakers must register their request to speak as soon as possible, between 12 noon on the Tuesday and 12 noon on the Friday before the Committee. To register a request to speak, objectors/supporters must first have made written representations on the application.

Anyone wishing to speak must notify the Council's Democratic Services Officers of their request by calling 01633 644219 or by email to registertospeak@monmouthshire.gov.uk. Please leave a daytime telephone number. Any requests to speak that are emailed through will be acknowledged prior to the deadline for registering to speak. If you do not receive an acknowledgement before the deadline please contact Democratic Services on 01633 644219 to check that your registration has been received.

Parties are welcome to address the Planning Committee in English or Welsh, however if speakers wish to use the Welsh language they are requested to make this clear when registering to speak, and are asked to give at least 5 working days' notice to allow the Council the time to procure a simultaneous translator.

Applicants/agents and objectors/supporters are advised to stay in contact with the case officer regarding progress on the application. It is the responsibility of those wishing to speak to check when the application is to be considered by Planning Committee by contacting the Planning Office, which will be able to provide details of the likely date on which the application will be heard. The procedure for registering the request to speak is set out above.

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

Once the request to speak has been registered by the Council the speaker must submit their pre-recorded video by midday on Monday before the Committee meeting. The video content must comply with the terms below and be no more than 4 minutes in duration. If the third party does not wish to record a video they will need to submit a script to the Council by the deadline above, that will be read out by an officer to the Committee Members at the meeting. The script shall contain no more than 500 words and shall also comply with the terms below. Speakers will also have the option to attend the meeting in person and address Planning Committee.

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.

Procedure at the Planning Committee Meeting

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.
- If applicable, the video recording of the representative of the community or town council will then be played to Members (this shall be no more than 4 minutes in duration). Alternatively, if the community or town council has opted to submit a script of their representations that will be read out by an officer to the Committee Members at the meeting. Alternatively, the community or town council representatives may address the Planning Committee in person at the meeting for a maximum of 4 minutes.
- If applicable, the objector's video recording will then be played to the Members (this shall be no more than 4 minutes in duration) Alternatively, if a third party has opted to submit a script of their representations that will be read out by an officer to the Committee Members at the meeting. Alternatively, the objector may address the Planning Committee in person at the meeting for a maximum of 4 minutes.
- If applicable, the supporter's video recording will then be played to Members (this shall be no more than 4 minutes in duration) Alternatively, if the third party has opted to submit a script of their representations that will be read out by an officer to the Committee Members at the meeting. Alternatively, the supporter may address the Planning Committee in person at the meeting for a maximum of 4 minutes.
- If applicable, the applicant's (or appointed agent's) video recording will then be played to Members (this shall be no more than 4 minutes in duration). Alternatively, if the third party has opted to submit a script of their representations that will be read out by an officer to the Committee Members at the meeting. Alternatively, the applicant (or appointed agent) may address the Planning Committee in person at the meeting 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 submit a video of their response of up to 5 minutes in duration. Alternatively, the applicant (or appointed agent) may address the Planning Committee in person at the meeting up to 5 minutes in duration.
 - 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.
 - Committee Members may then raise technical questions with officers.
 -
- Planning Committee members will then debate the application, commencing with the

local member if a Member of Planning Committee. Officers will not take any further questions unless it is to advise Members about a procedural or legal issue, or where they consider Members are deviating from material planning considerations.

- Where an objector or supporter or applicant/agent community or town council has spoken on an application no further speaking by or on behalf of that group will be permitted in the event that the application is considered again at a future meeting of the Committee unless there has been a material change in the application.
- The Chair's decision regarding a procedural matter 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 (including any additional conditions or other matters raised). The names of the proposer and seconder shall be recorded.
- Members shall decline to vote in relation to any planning application unless they have been present in the meeting of the Planning Committee throughout the full presentation and consideration of that particular application.
- Any Member who abstains from voting shall consider whether to give a reason for their abstention.
- The Legal Officer shall count the votes and announce the decision.
-
- 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.

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Public Document Pack Agenda Item 3

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance
on Tuesday, 14th January, 2025 at 2.00 pm**

PRESENT: County Councillor Phil Murphy (Chair)
County Councillor Dale Rooke (Vice Chair)

County Councillors: Fay Bromfield, Emma Bryn, Jan Butler,
John Crook, Tony Easson, Steven Garratt, Meirion Howells,
Su McConnel, Jayne McKenna, Maureen Powell, Sue Riley,
Ann Webb and Laura Wright

County Councillors Louise Brown and Tony Kear attended the
meeting by invitation of the Chair.

OFFICERS IN ATTENDANCE:

| | |
|------------------|--|
| Amy Longford | Head of Planning |
| Andrew Jones | Development Management Area Team Manager |
| Joanne Chase | Solicitor |
| Richard Ray | Paralegal |
| Richard Williams | Democratic Services Officer |

APOLOGIES:

County Councillor Jill Bond

1. Declarations of Interest

County Councillor Laura Wright declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2022/01525, as she has a pre-existing relationship with one of the objectors and organiser of the petition, Jay Shipley. Jay Shipley is the Deputy Principal Officer at Abergavenny Town Council. County Councillor Wright is also a Town Councillor, and she has informally discussed this application with Jay Shipley prior to joining Monmouthshire County Council's Planning Committee. County Councillor Wright agreed to read out a statement to the Planning Committee on Jay Shipley's behalf, in lieu of the ward member. She then left the meeting taking no part in the discussion or voting thereon.

<https://youtu.be/ZpeG2A-ofSM?si=B5WpJ6sUziAWkyvU&t=53>

2. Confirmation of Minutes

The minutes of the Planning Committee meeting dated 3rd December 2024 were confirmed and signed by the Chair.

<https://youtu.be/ZpeG2A-ofSM?si=rwq7Z4GlrIS2WNLXZ&t=93>

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance
on Tuesday, 14th January, 2025 at 2.00 pm**

3. Application DM/2023/01341 - Construction of a New Dwelling. 33 Maryport Street, Usk, NP15 1AE

We considered the report of the application and late correspondence which was recommended for approval subject to the conditions outlined in the report and subject to a Section 106 Agreement.

It was noted that the document titled Flood Consequence Assessment, 33 Maryport Street, Usk, Monmouthshire, NP15 1AE, Report Reference 199824-F01, prepared by Ashfield Solutions Group, dated 04/07/2024 was to be included in the list of approved plans and not the document prepared by JBA dated 25/08/2020 as set out in the committee report. Condition 5 would be updated accordingly.

<https://youtu.be/ZpeG2A-ofSM?si=si5B5A2r9gGlllpO&t=154>

In noting the detail of the application and the views expressed, it was proposed by County Councillor Jan Butler and seconded by County Councillor Laura Wright that application DM/2023/01341 be approved subject to the conditions outlined in the report and subject to a Section 106 Agreement.

The document titled Flood Consequence Assessment, 33 Maryport Street, Usk, Monmouthshire, NP15 1AE, Report Reference 199824-F01, prepared by Ashfield Solutions Group, dated 04/07/2024 to be included in the list of approved plans and not the document prepared by JBA dated 25/08/2020 as set out in the committee report. Condition 5 to be updated accordingly.

County Councillor Tony Easson refrained from voting in respect of this application as he had left the meeting for a short period of time during the debate before rejoining the meeting.

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

| | | |
|------------------|---|----|
| For approval | - | 12 |
| Against approval | - | 2 |
| Abstentions | - | 0 |

The proposition was carried.

We resolved that application DM/2023/01341 be approved subject to the conditions outlined in the report and subject to a Section 106 Agreement.

The document titled Flood Consequence Assessment, 33 Maryport Street, Usk, Monmouthshire, NP15 1AE, Report Reference 199824-F01, prepared by Ashfield Solutions Group, dated 04/07/2024 to be included in the list of approved plans and not the document prepared by JBA dated 25/08/2020 as set out in the committee report. Condition 5 to be updated accordingly.

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance
on Tuesday, 14th January, 2025 at 2.00 pm**

4. Application DM/2022/01525 - Construction of proposed bungalow with parking on land at rear of 11 Park Close. Land rear of 11 Park Close, Abergavenny, NP7 5SU

We considered the report of the application and late correspondence which was recommended for approval subject to the conditions outlined in the report and subject to a Section 106 Agreement. Also, that the following additional conditions be attached:

- No development shall take place until a scheme for biodiversity enhancement, including a timetable for implementation, has been submitted to and agreed in writing to the local planning authority. Development shall be carried out in accordance with the approved details.
- Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes B & C of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) no addition, alteration or enlargement to roof shall be erected or constructed.

<https://youtu.be/ZpeG2A-ofSM?si=48GzQwgl1IEDPFwc&t=3214>

In noting the detail of the application and the views expressed, it was proposed by County Councillor Su McConnell and seconded by County Councillor Jan Butler that application DM/2022/01525 be approved subject to the conditions outlined in the report and subject to a Section 106 Agreement. Also, that the following additional conditions be attached:

- No development shall take place until a scheme for biodiversity enhancement, including a timetable for implementation, has been submitted to and agreed in writing to the local planning authority. Development shall be carried out in accordance with the approved details.
- Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes B & C of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) no addition, alteration or enlargement to roof shall be erected or constructed.

County Councillor Jayne McKenna refrained from voting in respect of this application as she had left the meeting for a short period of time during the debate before rejoining the meeting.

An electronic vote was undertaken. However, due to the closeness of the vote whereby the outcome was within two or fewer votes, paragraph 27.27.6 of Monmouthshire County Council's Constitution was invoked:

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
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on Tuesday, 14th January, 2025 at 2.00 pm**

When the outcome is 2 or fewer votes or will require the Chair to consider casting a deciding vote, a roll-call will be carried out in the same style of a recorded vote so the result is beyond question. The number of votes for each option will be noted in the minutes.

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

| | | |
|------------------|---|---|
| For approval | - | 6 |
| Against approval | - | 7 |
| Abstentions | - | 0 |

The proposition was not carried.

We resolved that we be minded to refuse application DM/2022/01525 on highway safety grounds given the width of the shared driveway. Therefore, the application will be re-presented to a future meeting of Planning Committee with appropriate reasons for refusal.

5. Application DM/2024/00985 - Replacement dwelling. Bushes Farm, Chapel Road, Earlswood, Shirenewton

We considered the report of the application and late correspondence which was recommended for approval subject to the conditions outlined in the report.

This application had been presented to Planning Committee on 5th November 2024. However, due to a procedural irregularity at that meeting, the application had been re-presented to Planning Committee for consideration on 3rd December 2024, where Members resolved to approve the application contrary to the officer recommendation.

In accordance with adopted protocol, the application is now re-presented with conditions to be agreed by Members.

<https://youtu.be/ZpeG2A-ofSM?si=1-EanYsaaZbf4fqN&t=6016>

In noting the detail of the application and the views expressed, it was proposed by County Councillor Tony Easson and seconded by County Councillor Meirion Howells that application DM/2024/00985 be approved subject to the conditions outlined in the report.

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

| | | |
|------------------|---|----|
| For approval | - | 13 |
| Against approval | - | 1 |
| Abstentions | - | 0 |

The proposition was carried.

We resolved that application DM/2024/00985 be approved subject to the conditions outlined in the report.

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance
on Tuesday, 14th January, 2025 at 2.00 pm**

6. Application DM/2024/00442 - Construction of two new dwellings at rear of Ardwyn, with all associated works. Ardwyn, Gwent Road, Mardy, Abergavenny, NP7 6NL

We considered the report of the application and late correspondence which was recommended for approval subject to the conditions outlined in the report and subject to a Section 106 Agreement.

https://youtu.be/ZpeG2A-ofSM?si=Kr6kZKn5y7cR4_vK&t=7052

In noting the detail of the application and the views expressed, it was proposed by County Councillor Jan Butler and seconded by County Councillor Maureen Powell that application DM/2024/00442 be approved subject to the conditions outlined in the report and subject to a Section 106 Agreement. Also, that an additional condition be attached to manage low level lighting on the site.

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

| | | |
|------------------|---|----|
| For approval | - | 14 |
| Against approval | - | 0 |
| Abstentions | - | 0 |

The proposition was carried.

We resolved that application DM/2024/00442 be approved subject to the conditions outlined in the report and subject to a Section 106 Agreement. Also, that an additional condition be attached to manage low level lighting on the site.

7. Application DM/2024/01199 - Change of use from funeral directors at ground floor and first floor flat to a 6 bedroom, 6 person house in multiple occupation (C4 Use). 90 Newport Road, Caldicot, Monmouthshire

We considered the report of the application and late correspondence which was recommended for approval subject to the conditions outlined in the report.

<https://youtu.be/ZpeG2A-ofSM?si=sqYcaUGxbVfWZvBk&t=8036>

In noting the detail of the application and the views expressed, it was proposed by County Councillor Su McConnel and seconded by County Councillor Maureen Powell that application DM/2024/01199 be approved subject to the conditions outlined in the report.

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

| | | |
|------------------|---|----|
| For approval | - | 12 |
| Against approval | - | 2 |
| Abstentions | - | 0 |

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
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on Tuesday, 14th January, 2025 at 2.00 pm**

The proposition was carried.

We resolved that application DM/2024/01199 be approved subject to the conditions outlined in the report.

The meeting ended at 4.25 pm.

Application Number: DM/2022/00235

Proposal: Stables and barn.

Address: Upper Maerdy Farm Red Hill To The B4235 Llangeview Usk Monmouthshire

Applicant: Lisa Donnelly

Plans: PDMF22-001 - 31/05/2023, PDMF22-002 - 31/05/2023, PDMF22-003 - 31/05/2023, PDMF22-004 - 31/05/2023, Biodiversity net gain plan - ,

RECOMMENDATION: Approve

Case Officer: Mr David Wong

Date Valid: 03.05.2022

1.0 APPLICATION DETAILS

1.1 Description

1.1.1 The original development description of this application is for... Stables with day room/accommodation and barn. Essentially, the proposal was for the erection of a storage barn and a block of stables for horses with on-site living accommodation to serve the applicants.

1.1.2 In Wales, planning applications for rural dwellings must demonstrate compliance with Technical Advice Note 6 (TAN 6): Planning for Sustainable Rural Communities. The applicants was advised that the site is in the open countryside, and the application cannot be supported without any TAN6 justification nor the scheme complies with the replacement dwelling or the barn conversion policy within the Monmouthshire Local Development Plan (LDP).

1.1.3 After a series of discussions, the living accommodation element was removed from the application so that the scheme is purely for the erection of a storage barn and a block of stables for horses.

1.1.4 In terms of the siting of the proposals, the buildings were originally proposed to be located on the parcel of land immediately adjacent (east) to a neighbouring property, known as The Barn. However, due to some technical ecological concerns, the applicants decided to choose another location nearer to the existing access point in the western corner of the site.

1.1.5 The site is located in the open countryside and currently consists of grassland adjacent hedge and trees associated with field boundary. The proposed construction will now accessed via an existing gated field access, to which no changes are proposed.

1.1.5 The proposal seeks to erect a 12m x 11m x 4.8m new stable block accommodating 6 stables and a tack/feed/storage room (9.9m x 7.9m x 4.2m). External finish is a mixed of concrete block, rendered and painted with Onduline clad timber frame above with sliding timber shutters as indicated. The roof will be made out of corrugated Onduline roof sheets with PC/PVC transparent panels (colour not specified).

2.0 RELEVANT PLANNING HISTORY (if any)

| Reference Number | Description | Decision | Decision Date |
|-------------------------|--------------------|-----------------|----------------------|
|-------------------------|--------------------|-----------------|----------------------|

| | | |
|---------------|--|-----------------------|
| DM/2020/00510 | Modification of conditions 5, 6 and 12 relating to application DC/2015/01424 (APP/E6840/A/17/316848). | |
| DM/2022/00235 | Stables and barn. | Pending Determination |
| DC/2014/00659 | Change of use of land to a private gypsy and traveller caravan site comprising of 5 no. pitches. | |
| DC/2015/00357 | The change of use of land to a private gypsy caravan site consisting of 7 no. residential caravans and associated development. | |

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design

Development Management Policies

DES1 LDP General Design Considerations
EP1 LDP Amenity and Environmental Protection
EP3 LDP Lighting
LC1 LDP New Built Development in the Open Countryside
MV1 LDP Proposed Developments and Highway Considerations
NE1 LDP Nature Conservation and Development
SD4 LDP Sustainable Drainage

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

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

Planning Policy Wales (PPW) Edition 12

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

duties such as the Socio-economic Duty.

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

5.0 REPRESENTATIONS

5.1 Consultation Replies

Llantrisant Fawr CC - Councillors had no comments to add on these proposals and agreed there was no reason to object.

MCC Building Control - No concern raised. The Stables and the barn would be considered exempt from building regs as agricultural buildings, and as such our only concerns would be that consideration is given to the access and egress of the land and the buildings and access is available for emergency vehicles. The buildings would need to be constructed to ensure the health and safety of any persons in or around the buildings. The Dayroom, if pursued, would require an application for Building Regulation approval and full details of the proposals would be required.

MCC Highways - No objection. It is noted that there was an initial proposal to create a new vehicular access to the site however there is now a revised scheme which proposes to utilise the existing field access at the southwest corner of the application site. It does not appear that that the proposed development is intended to be run on a commercial basis and is for sole use of the applicant. There is no grounds to object to the application as presented however it is recommended that a suitable condition be imposed which restricts the use of the site for personal to the applicant only.

MCC Ecology - Although the revised proposals are likely to have a lower ecological impact as a result of distance from the watercourse and hedgerows, an ecological survey is still required. Any external lighting on the stables will need to be sensitively designed in accordance with ILP 2023 guidance. A detailed specification for lighting could be secured by condition if consent is granted. In addition, a detailed approach will need to be shown on site plans before determination to demonstrate that net benefit for biodiversity will be achieved.

NRW - Concern that there is inadequate information in support of the day room element of the proposal. However, the stables appear to constitute an improvement on existing arrangements and would not result in any change to the volume of nutrients from the site and therefore no increase in phosphorus contribution. As such, the proposed stables are not likely to have a significant effect on the River Usk SAC. All slurry/manure/contaminated water produced should continue to be managed in line with the Regulations.

MCC Heritage Management - No objection. The proposed stables are located in a field adjacent to the Grade II listed Farmhouse and Dairy at Upper Maerdy Farm. It is noted that the proposal has the potential to impact on the setting of the listed buildings however the mature hedgerows and trees provide a screen affect to reduce the inter visibility of the proposal. The location, scale and material finish should all be such to continue the agricultural/rural setting. On this basis there are no adverse comments.

5.2 Neighbour Notification

Objection from five households received and they are summarised below:

The site lies in an area of predominantly agricultural land and the proposed use is not suitable on this location.

The proposal would generate an increase traffic movement on the single track narrow lane serving the site, which is dangerous to residents, drivers and cyclists.

The proposed use would increased risk of vermin & smell from waste produced by stable use.

This is a creation of a new dwelling on Green Belt land.

The site is not big enough to support 8 horses.

The development is entirely out of keeping with the rural environment and will be visually intrusive.

The development will contamination of the stream.

There is no water supply on site.

There is a restrictive covenant that the subject land be used only for agriculture, so grant of a stable block with living accommodation would create a clear breach of that covenant.

5.3 Other Representations

David Davies MP - The application is for a stable and living accommodation. Local residents are becoming increasingly concerned as to the impact this proposed development might have on the wider rural environment and that the land will be used for residential in the open countryside. Please ensure the local residents are given the opportunities to voice their objections to the application.

5.4 Local Member Representations

Councillor Bromfield - Due to being on the planning committee I have to stay impartial.

Please note all representations can be read in full on the Council's website:

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

6.0 EVALUATION

6.1 Principle of Development

6.1.1 The proposal involves the construction of a stable building in the open countryside. Keeping horses for grazing purposes is considered an acceptable agricultural use within this context. The principle of the proposal is acceptable subject to detailed considerations.

6.2. Good Design

6.2.1 The proposed design, while utilitarian in nature, requires further consideration of external colour schemes, which are currently not detailed within the application.

6.2.2 The revised siting of the development is considered appropriate, being located close to the existing access and benefiting from the presence of surrounding established landscaping that screens the proposal from wider viewpoints. Glimpses of the proposed buildings will be visibility from the adjacent highway. However, the proposal is set back from the site boundary and it is not uncommon to see stable buildings in the open countryside.

6.2.3 The proposed scale and design of the development are considered acceptable. Given the above, the proposal comply with Local Development Plan (LDP) Policies DES1 and LC1.

6.3 Landscape

6.3.1 From a landscape perspective, the proposal is generally acceptable. The site benefits from surrounding established landscaping, such as trees and hedgerows, which provide natural screening from the highway. While the proposal is visible from the public right of way that runs within the site, the development of a stable building is considered appropriate within the open countryside. The scale and size of the proposed development are deemed acceptable in this context. The proposed locations for the stable buildings are situated well away from existing trees and hedgerows, minimising the potential for adverse impacts on these important landscape features.

6.3.2 Given the site's location in the open countryside, any external lighting must be carefully designed in accordance with the Institute of Lighting Professionals (ILP) 2023 guidance. The use of indiscriminate floodlighting is considered inappropriate in this rural setting. No external lighting is being proposed which is welcome. It is considered reasonable to manage this element via the use

of appropriate condition for any new external lighting to protect the setting of the open countryside. Subject to imposition of a standard lighting condition, this application complies with Local Development Plan (LDP) Policies DES1, EP3, and LC1.

6.4 Biodiversity

6.4.1 Further consultation was carried out with the Council's Biodiversity and Ecology Officer to assess the likely ecological impact on ecology on the revised location as a Preliminary Ecological Appraisal (PEA) was initially requested. It was concluded that the latest location is well away from the watercourse, the hedgerows and trees that bound the site boundary. In addition, the engineering works required for the formation of a new access, over the watercourse, is no longer required, as the proposed construction will now be accessed via the existing gated field access, to which no changes are proposed.

6.4.2 The application site is within the catchment of the River Usk Special Area of Conservation (SAC). NRW did raise concern over the day room element under the initial proposal. However, this element has since been omitted from the application, which nullifies the potential environmental concern on the SAC condition (phosphate).

6.4.3 This application seeks permission for the erection of a stable building for horses. Natural Resources Wales (NRW) has raised no objections to the proposed stable building, as it is not considered likely to have a significant effect on the River Usk Special Area of Conservation (SAC). However, it is essential that all slurry, manure, and contaminated water generated by the development are managed in accordance with the Code of Good Agricultural Practice (CoGAP) for the Protection of Water, Soil, and Air in Wales. An informative note to this effect will be included in the decision notice.

6.4.4 No external lighting is proposed, which is welcomed. In any case, the site is in the open countryside and a standard lighting condition to be imposed.

6.4.5 Planning Policy Wales (PPW) 12 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. Regarding the biodiversity net gain enhancement measure, a new bird box proposed on the northern facing elevation of the stable building. Therefore, the proposal is in compliance with the provisions of LDP Policy NE1 and PPW12.

6.4.6 The proposal is acceptable subject to conditions from an ecological standpoint and complies with relevant planning policy.

6.6 Impact on Amenity

6.6.1 The proposed buildings were originally planned for the parcel of land immediately east of "The Barn." However, due to ecological considerations, the applicants revised the location to the western corner of the site, more than 200 meters from the original position and closer to the existing access point. This revised location also ensures a significant separation distance of approximately 120 meters from the caravan site, minimising potential impacts on residential amenity. The proposal is considered to be in accordance with Local Development Plan (LDP) Policy EP1.

6.7 Highways

6.7.1 The Highways Department has no objections to this proposal. The original scheme proposed a new vehicular access, however, the revised scheme utilises the existing field access at the southwest corner of the site. It is understood that the proposed development is for the applicant's personal use and not intended to be operated on a commercial basis. Based on the current information, there are no highway grounds for objection. However, a planning condition restricting the use of the site to the applicant's personal use only is recommended to protect the integrity of the highway network. This recommendation complies with LDP policy MV1.

6.8 Flooding

6.8.1 The site is not located within an area prone to flood and no flood concern is raised by NRW. Therefore, no further flood information is requested.

6.9 Response to the Representations of Third Parties and/or Community/Town Council

6.9.1 The site lies in an area of predominantly agricultural land and the proposed use is not suitable on this location.

LPA response: The site is in the open countryside. The buildings proposed are to accommodate grazing horses, which is an appropriate rural use.

6.9.2 The proposal would generate an increase traffic movement on the single track narrow lane serving the site, which is dangerous to residents, drivers and cyclists.

LPA response: There is no objection from the Council's Highways Department has no objections to this proposal. It is recommended that a planning condition to be imposed restricting the use of the site to the applicant's personal use only, protecting the integrity of the highway network.

6.9.3 The proposed use would increased risk of vermin & smell from waste produced by stable use.

LPA response: Planning permission is not required for keeping animals on site. This application seeks permission for the erection of a stable building and barn storage for grazing horses. As long as all slurry, manure, and contaminated water produced from the development are managed in accordance with relevant regulations, as highlighted by Natural Resources Wales (NRW), there should be no risk of contamination or environmental issues. NRW has raised no objection regarding this application.

6.9.4 This is a creation of a new dwelling on Green Belt land.

LPA response: The living accommodation element was removed from the application so that the scheme is purely for the erection of a storage barn and a block of stables for horses.

6.9.5 The site is not big enough to support 8 horses.

LPA response: The revised stable comprises cubicles for 6 horses. The British Horse Society (BHS) recommends a minimum of 0.4-0.6 hectares (1-1.5 acres) of permanent pasture per horse. It is useful to note that the amount of land required per horse is dependent on a range of factors, such as age, size, breed and horse personalities. Based on the average of 0.5 hectares mark, the site is able to accommodate 5.6 horses on site (the site is approximately 2.76 hectares), which is inline with the BHS recommendation.

6.9.6 The development is entirely out of keeping with the rural environment and will be visually intrusive.

LPA response: The proposed design, scale and design is acceptable. The site benefits from surrounding established landscaping that screens the proposal from the highway. The proposal can be seen from the public right of way that runs within the site. However, stable use/building is generally appropriate development in the open countryside. The proposed locations are well away from the existing trees and hedgerows so not likely to cause an adverse impact on these natural features.

6.9.7 The development will contamination of the stream.

LPA response: The application site is within the catchment of the River Usk Special Area of Conservation (SAC). NRW raised no issue to the proposed stable (phosphorus entering the catchment) as is not likely to have a significant effect on the River Usk SAC. However, all slurry/manure/contaminated water produced from the development should be managed in line with the Code of Good Agricultural Practice (CoGAP) for the Protection of Water, Soil and Air for Wales.

6.9.8 There is no water supply on site.

LPA response: Whether or not there is water supply on site is not a planning material consideration.

6.9.9 There is a restrictive covenant that the subject land be used only for agriculture, so grant of a stable block with living accommodation would create a clear breach of that covenant.

LPA response: This is a civil matter and is not a planning material consideration.

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

6.10.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.11 Conclusion

6.11.1 The proposal is in accordance with LDP policies DES1, EP1, EP3, LC1, NE1 and MV1 subject to planning conditions.

7.0 RECOMMENDATION: APPROVE

Conditions:

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

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

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

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

3 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 unless otherwise approved in writing by the Local Planning Authority. The samples shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works.

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

4 The new bird box as shown on the 'Biodiversity net gain plan' shall be implemented in full and shall be retained as such in perpetuity. Evidence of compliance with the plan in the form of georeferenced photographs must be provided to the Local Planning Authority no more than three months later than the first beneficial use of the development.

REASON: To provide biodiversity net benefit and ensure compliance with PPW 12, the Environment (Wales) Act 2016 and LDP policy NE1

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 until an appropriate lighting plan which includes low level PIR lighting and allows dark corridors for bats has been agreed in writing with the Local Planning Authority. Lighting shall be implemented in strict accordance with the approved lighting plan.

REASON: In the interest of visual amenity (LDP Policy DES1 and LC1) and to safeguard roosting and foraging/commuting habitat of Species of Conservation Concern in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and LDP policies NE1 and EP3.

6 Prior to their implementation on site, details of any hard landscaping shall be submitted to and approved in writing by the local planning authority. Any hard landscaping / surfacing shall be carried out in accordance with the approved details and maintained as such thereafter.

REASON: In the interests of visual amenity and to safeguard the special character of the countryside, in accordance with LDP Policies LC5 and DES1.

7 The stable and barn hereby approved shall only be used for personal private use and shall not be used for any form of livery or commercial purpose.

REASON: In the interests of the highway safety and the residential amenity of those living closest to the site, in compliance with LDP policies S13, S16, EP1 and MV1.

INFORMATIVES

1 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

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

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

4 NRW Informative on Manure Management
Any manure produced must be managed (storage and application to land) in line with The Code of Good Agricultural Practice (CoGAP) for the Protection of Water, Soil and Air for Wales. If manure is managed correctly then the application as submitted is unlikely to increase the amount of phosphorus entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Usk SAC.

We also refer the applicant to the Guidance for Pollution Prevention: GPP 24 Stables, kennels, and catteries.

Other Matters

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

5 As of 7th January 2019, all construction work in Wales with drainage implications, of 100m² or more, is now required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water (whether they require planning permission or not). These SuDS must be designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage.

The SuDS Approving Body (SAB) is a service delivered by the Local Authority to ensure that drainage proposals for all new developments of at least 2 properties OR over 100m² of construction area are fit for purpose, designed and built in accordance with the National Standards for Sustainable Drainage published by Welsh Ministers.

If you are in any doubt as to whether you require SAB approval, please contact:

SAB@monmouthshire.gov.uk

For advice regarding the application process and general enquiries - 01495 768306

For technical advice regarding your SuDS design and meeting the National Standards - 01633 644730

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Application

Number: DM/2022/01525

Proposal: Construction of proposed bungalow with parking on land at rear of 11 Park Close

Address: Land rear of 11 Park Close, Abergavenny, NP7 5SU

Applicant: Stephen Parry

Plans: Location Plan A100, Site Layout A101 - REV B, All Proposed Plans A200

RECOMMENDATION: Refuse**1.0 APPLICATION DETAILS**

1.1 This application was presented to Planning Committee on 14th January 2025 with a recommendation for approval. Member did not agree with this recommendation and deferred the application for refusal for the following reason:

The proposed 3m wide access serving three properties, represents a significant departure from the Welsh Common Standards and would lead to a deterioration in highway standards and would adversely affect users of the adjacent public highway contrary to Adopted Local Development Plan Policy MV1.

1.2 Following January's Committee meeting the applicant has provided an updated Site Plan (A101 Rev C) for review, showing a turning area illustrating how a vehicle may enter and leave in a forward gear.

2.0 REPRESENTATIONS**1.1 Additional Neighbour Comments**

- Object to the Previous Committee Report - 1.2 Proposal Description: "The proposed new dwelling is relatively small in scale and not dissimilar to a domestic outbuilding that could be erected under permitted development rights." The plans show a building with a footprint 150% the size of the 3 bed semi in who's garden it is to be built.
The only logical reason for having a bungalow with a roof space higher than the ground floor height would be to allow easy conversion to a second storey building at a later date.
Object to the erection of a fence in place of an established hedge which provides habitat and food for a range of birds, bats, insects, and other wildlife.
- Loss of green space.
- A couple of bird boxes on the wall of a building does little to mitigate the losses which will be felt by the local wildlife, should this planning application be approved.
- By ignoring the Highways Department advice, a dangerous precedent is set, whereby other buildings may be allowed in the back gardens of houses with difficult access.
- The proposed building will dominate the surrounding area particularly from the community garden where the view towards the Blorenges will be blocked.
- This proposal has no discernible sustainability.
- The amended plans only show parking space for 4 vehicles for the 2 properties therefore does not meet its parking requirements under local parking regulations so this must void the application.
- The amendments do nothing to address the Highway Departments insistence of having a 4.5m wide shared access driveway due to safety concerns.

Please note all representations can be read in full on the Council's website: <https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

RECOMMENDATION: Approved Subject to S106 agreement

Case Officer: Kate Bingham
Date Valid: 26.10.2022

This application is presented to Planning Committee as there is an outstanding objection from a Statutory Consultee (Highways)

1.0 APPLICATION DETAILS

1.1 Site Description

This application relates to a site close to the town centre of Abergavenny, north-east of Bailey Park.

1.2 Proposal Description

It is proposed to provide one new single-storey dwelling in the rear garden of the existing two storey semi-detached house. Access will be shared with the existing dwelling.

The property is not listed and the site is not within the Conservation Area. The site is within the Nutrient Sensitive Catchment Area of the River Usk Special Area of Conservation (SAC).

2.0 RELEVANT PLANNING HISTORY (if any)

| Reference Number | Description | Decision | Decision Date |
|-------------------------|--|-----------------------|----------------------|
| DM/2022/01525 | Construction of proposed bungalow with parking on land at rear of 11 Park Close. | Pending Determination | |
| DC/1993/00420 | Carport Extension To Front. | Refused | 07.07.1993 |

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision
S4 LDP Affordable Housing Provision

S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design

Development Management Policies

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements
DES1 LDP General Design Considerations
EP1 LDP Amenity and Environmental Protection
EP5 LDP Foul Sewage Disposal
GI1 LDP Green Infrastructure
NE1 LDP Nature Conservation and Development
MV1 LDP Proposed Developments and Highway Considerations

Supplementary Planning Guidance

Infill Development SPG November 2019
Affordable Housing SPG July 2019

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

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

Planning Policy Wales (PPW) Edition 12

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

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

5.0 REPRESENTATIONS

5.1 Consultation Replies

Abergavenny Town Council - No comments received.

Dwr Cymru Welsh Water (DCWW) - No objections.

We have reviewed the information submitted as part of this application and note that the intention is to drain foul water to the public sewer to which we offer no objection in principle. We also note that surface water will be disposed of via sustainable means and welcome this approach.

We can confirm that our Llanfoist Wastewater Treatment Works in which the proposed development would eventually drain, is able to meet the interim backstop permit of 5 mg/l with sufficient headroom capacity.

Natural Resources Wales (NRW) - Refer to Interim Guidance on development within Nutrient Sensitive Areas (Version 4).

MCC Highways - Under the Welsh Common Standards, a shared private drive must be at least 4.5m wide which the site cannot provide. Therefore, as the access arrangements do not meet minimum standards, we must object.

MCC Biodiversity - No objections subject to conditions.

SEWBRc Search Results - No significant ecological record identified.

5.2 Neighbour Notification

One objection received:

The proposed bungalow is an overdevelopment of a residential area. These houses and our neighbouring ones were designed with space between buildings and this should not be compromised.

5.3 Other Representations

None.

5.4 Local Member Representations

No comments received.

Please note all representations can be read in full on the Council's website: <https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

6.1 EVALUATION

6.2 Principle of Development

6.2.1 The site is located within the settlement boundary of Abergavenny, which is defined as a Main Town in the Local Development Plan (LDP). Policy H1 supports residential development in these areas in principle, subject to detailed material planning considerations.

6.2.2 Being located on a corner, the site benefits from an existing large rear garden which can accommodate the proposed dwelling together with parking provision and still retain an adequate amount of private amenity space for both the existing and proposed dwellings.

6.2 Good Design / Place Making

6.2.2 Monmouthshire's adopted Infill Supplementary Planning Guidance highlights that Infill development should make a positive contribution to the creation of distinctive communities, places and spaces as well as responding to the context and character of the area. The proposed dwelling will be single-storey and simple in design having a basic rectangular floor plan with a pitched roof. External materials are proposed as grey concrete roof tiles, red facing brick with buff stone cills, Marley Eternit cladding (porch), white facias and soffits with black rainwater goods and white upvc windows. These materials reflect those used on the surrounding buildings, the

host dwelling being red brick on the lower half with a concrete tiled roof and white upvc windows.

6.2.3 The proposed bungalow would cover an area of approx. 75m² on a site of 530m² equating to just over 14%. There will be further loss of garden area as a result of the parking and turning area but nonetheless, there would still be a garden area of 76m² remaining for the existing dwelling and over 100m² for the proposed new dwelling. Due to the siting of the proposed new dwelling at the rear of the site, the impact of the development on the street scene and wider landscape will be minimal.

6.2.4 On the basis of the above, it is considered that the proposed development is in keeping with the character and appearance of the surrounding area and will have no adverse impact on local visual amenity. As such there is no conflict with LDP Policy DES1.

6.3 Impact on Residential Amenity

6.3.1 The proposed new access and parking area will abut an existing neighbouring arage, minimising any impact on the enjoyment of the garden of that property.

6.3.2 Overlooking from the proposed new dwelling into overlooking properties will not be possible as the proposal is a bungalow and therefore views will be blocked by existing and proposed enclosures. Window to window distances between the existing and proposed dwellings would be between 15m and 20m, the shorter view being a bathroom window and 20m being a kitchen area. Direct views would be further disrupted by a new boundary fence along the boundary with the garden of the existing dwelling. The houses to the north (Avenue Road) have long rear gardens meaning that there is a distance of approx. 27m from these dwellings to the northern boundary of the application site.

6.3.3 On the basis of the above it is considered that there will be no loss of residential amenity as a result of the proposal and there would be no conflict with LDP policies EP1 or DES1.

6.4 Highways and parking

6.4.1 The application proposes the construction of a new property within the grounds of No. 11 and related works and access arrangements. The site is located on the corner of the unclassified highway, Park Close, a dense residential area.

6.4.2 The site meets its parking requirements under the local parking regulations by providing No.11 with three spaces and the proposed dwelling with 2 spaces (one per bedroom).

6.4.3 The proposed access arrangement creates a private shared drive shared by no. 11 and the proposed dwelling, (with an access agreement with the neighbouring No.10). The Council's Highway Engineers have advised that under the Welsh Common Standards, a shared private drive must be at least 4.5m wide. In this case the site can only provide a 3m wide driveway and therefore as the access arrangements do not meet minimum standards, Highways have objected to the development.

6.4.4 While the width of the drive is below the Welsh Common Standards, a 3m wide drive is nonetheless adequate for a private car and not an unusual arrangement in this area with other dwellings to the rear of existing properties being served by comparable driveways. For example DC/2016/00714 allowed two dwellings to the rear of Park Crescent off a 3m driveway. Larger vehicles serving the proposed new dwelling such as delivery vans, are likely to stop on Park Close itself, not the driveway; the site is within a cul-de-sac where on-street parking is unrestricted and traffic movements are generally reduced and at slower speeds. As such, the proposed driveway arrangement is unlikely to harm local highway safety and it is considered that it would be unreasonable to refuse the application on this basis.

6.5 Biodiversity

6.5.1 It is understood that an area of scrub habitat is located where the proposed bungalow and landscaped garden are proposed. Precautionary measures should be adopted during any vegetation clearance.

6.5.2 Planning Policy Wales (PPW) 12 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 12 respond to the Section 6 Duty of the Environment (Wales) Act 2016.

6.5.3 It is noted that two nest boxes are proposed to be installed on the north-western elevation of the existing building. It is considered that these will provide adequate mitigation for the loss of nesting habitat as a result of the development.

6.5.4 As a result of the proposals, the site will become more difficult to access for hedgehogs due to the number of fences and built structures. In order to mitigate for this, hedgehog gaps within the new close-boarded fencing should be provided to allow hedgehogs to have continued access throughout the site – 13cm x 13cm gaps at ground level are sufficient to allow access for hedgehogs. This should be a condition of any consent should Members approve the application.

6.5.5 Under regulation 63 of the Conservation of Habitats and Species Regulations 2017 it is necessary to consider whether the development should be subject to a Habitat Regulations Assessment. This is in particular reference to the impact of increased concentrations of Phosphates on designated SACs. NRW has set new phosphate standards for the riverine SACs of the Wye and Usk and their catchment areas. Development that may increase the concentration of phosphates levels will be subject to appropriate assessment and HRA.

6.5.6 Based on the Test of Likely Significant Effect, the project is unlikely to have a Significant Effect on the phosphate sensitive River SAC and a full Appropriate Assessment is not required.

6.6 Green Infrastructure (GI)

6.6.1 Chapter 6 of Planning Policy Wales (PPW) 12 highlights that a Green Infrastructure (GI) statement should be submitted with all planning applications and will be proportionate to the scale and nature of the development. The statement which will need to be informed by a GI assessment of the site will describe how green infrastructure will be incorporated into the proposal and how the step wise approach to protecting biodiversity, habitats and GI onsite will be managed. A step wise approach considers what impacts may occur as a result of development activity to any identified biodiversity, habitats and green infrastructure assets and networks that may be present on or bounding a site. The approach then seeks to manage any harm that may occur by (a) avoiding (b) minimising (c) Mitigating / Restoring.

6.6.2 The existing site is landscaped domestic garden with areas of shrub to the far rear.

6.6.3 The GI Statement is proportionate to the scale of this proposal and sets out the measures to be employed to secure GI. Soft landscaping will be carried out around the building that will adopt native species and will improve the GI in this immediate area.

6.7 Affordable Housing

6.7.1 It is a basic principle of LDP Policy S4 that all residential developments should contribute to the provision of affordable housing in the local planning authority area, irrespective of whether

the size of the development falls below the threshold for on-site provision.

6.7.2 As this proposed development falls below the threshold (1 - 4 units) at which affordable housing is required on site, a financial contribution towards off site affordable housing in the Abergavenny Housing Market Area will be required instead. This is calculated as: Internal Floor Area (m²) x £120 x 58%. This will be secured via a S106 agreement. This has been agreed by the applicant.

6.8 Flooding

The site is not within a flood plain.

6.9 Surface Water Drainage

As the built area will be 100m² or more, the development will require a Sustainable Drainage Systems (SuDS) to manage on-site surface water. These SuDS must be designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage and will be subject to separate SAB consent but the site area and ground conditions indicate that there is a suitable destination for surface water via a SuDS.

6.8 Archaeology

6.8.1 The application area is within the Archaeologically Sensitive Area of Abergavenny, situated close to the line of the Roman road, leading from the fort at Abergavenny to the town at Kenchester. It is known that large cemeteries containing both inhumations and cremations were situated alongside the west of this road, and the application area is equidistant between two areas where cremations including cremation burials in urns were found, as well as flagons, glazed beakers and metal brooches. It is therefore possible that such features may be located inside the application area, and the development therefore will require mitigation.

6.8.2 As such, it is recommended that a condition, requiring the applicant to submit a detailed programme of investigation for the archaeological resource, should be attached to any consent granted by Members.

6.11 Response to the Representations of Third Parties and/or Town Council

6.11.1 In terms of over-development of the site, the proposed new dwelling is relatively small in scale and not dissimilar to a domestic outbuilding that could be erected under Permitted Development Rights. Both the existing and proposed dwellings will also have adequate areas of private amenity space.

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

6.12.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.13 Conclusion

6.13.1 The site is located within the settlement boundary of Abergavenny within which, Policy H1 supports development in these areas in principle.

6.13.2 The proposed development is in keeping with the character and appearance of the surrounding area and will have no adverse impact on local visual amenity.

6.13.3 There will be no loss of residential amenity as a result of the development.

6.13.4 Although the proposed access is 1.5m narrower than the Welsh Common Standards, taking into consideration the specific context of this application site, it would be unreasonable to refuse the application on the grounds of highway safety. A 3m wide driveway for two properties should be adequate.

6.13.5 The proposal is unlikely to have a Significant Effect on the phosphate sensitive River Usk SAC.

7.0 RECOMMENDATION: APPROVE

Subject to a 106 Legal Agreement requiring the following:

S106 Heads of Terms

Financial contribution towards the provision of affordable housing within the local area to be paid upon occupation.

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

Conditions:

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

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

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

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

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

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

4 Prior to the commencement of development full and comprehensive details of soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority.

Details shall include:

- o Detailed scaled plans, showing existing and proposed levels
- o Proposed and existing utilities/services above and below ground.
- o Soft landscape details for landscaping to include planting plans, specifications including species, size, density, number and location, cultivation and other operations associated with planting, rain gardens and seeding establishment.
- o Details of hedgehog gaps within the new close board fencing.

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

5 All planting, seeding or turfing comprised in the approved details of landscaping shall be

carried out in the first planting and seeding season following the occupation of the 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.

REASON: To safeguard the landscape amenities of the area and to ensure compliance with LDP Policy G11.

6 The mitigation and enhancements for biodiversity shown on approved drwg no. A101 Rev B shall be provided prior to the first beneficial use of the development hereby approved and shall be maintained as such thereafter.

Evidence of compliance with the plan in the form of georeferenced photographs must be provided to the Local Planning Authority no more than three months later than the first beneficial use of the development.

REASON: In the interests of the ecological and biodiversity value of the site and to ensure compliance with PPW 12, the Environment (Wales) Act 2016 and LDP policies S13 and NE1.

Informatives

1 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

2 As of 7th January 2019, all construction work in Wales with drainage implications, of 100m² or more, is now required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water (whether they require planning permission or not). These SuDS must be designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage.

The SuDS Approving Body (SAB) is a service delivered by the Local Authority to ensure that drainage proposals for all new developments of at least 2 properties OR over 100m² of construction area are fit for purpose, designed and built in accordance with the National Standards for Sustainable Drainage published by Welsh Ministers.

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SAB@monmouthshire.gov.uk

For advice regarding the application process and general enquiries - 01495 768306

For technical advice regarding your SuDS design and meeting the National Standards - 01633 644730

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

4 The Naming & Numbering of streets and properties in Monmouthshire is controlled by Monmouthshire County Council under the Public Health Act 1925 - Sections 17 to 19, the purpose of which is to ensure that any new or converted properties are allocated names or numbers logically and in a consistent manner. To register a new or converted property please view Monmouthshire Street Naming and Numbering Policy and complete the application form which can be viewed on the Street Naming & Numbering page at www.monmouthshire.gov.uk This facilitates a registered address with the Royal Mail and effective service delivery from both Public and Private Sector bodies and in particular ensures that Emergency Services are able to locate any address to which they may be summoned. It cannot be guaranteed that the name you

specify in the planning application documents for the address of the site will be the name that would be formally agreed by the Council's Street Naming and Numbering Officer because it could conflict with the name of a property within the locality of the site that is already in use.

Agenda Item 4c

Application Number: DM/2024/00422

Proposal: Proposed development for residential dwellings and associated landscaping and infrastructure.

Address: Commercial Land At Mabey Bridge Mabey Bridge Station Road Chepstow Monmouthshire

Applicant: Miss Freya Rideout

Plans: All Drawings/Plans 10350-100C - ENGINEERING, All Drawings/Plans 10350-101 - LONGSECTIONS AND MANHOL, All Drawings/Plans 10350-204 B - SUDS ASSET MAINTENANCE, All Drawings/Plans 10350-205 - SUDS DETAILS, All Drawings/Plans 10350-500B - REFUSE VEHICLE TRACKING, All Drawings/Plans 10350-501B - FIRE TENDER TRACKING, Landscaping Plan 2167-URB-XX-00-DR-LA-XX-100-S2-P05 - ILLUSTRATIVE LANDSCAPE, Landscaping Plan 2167-URB-XX-00-DR-LA-XX-101-S2-P05 - SITE WIDE HARDWORKS PLA, Landscaping Plan 2167-URB-XX-00-DR-LA-XX-102-S2-P05 - SITE WIDE PLANTING PLAN, Green Infrastructure Framework Plan 2167-URB-XX-00-DR-LA-XX-103-S2-P05 - GREEN INFRASTRUCTURE PLA, Site Plan 22051 (05) 105 C - Roof Plan, Site Plan 22051 (05) 100G - SITE DEVELOPMENT LAYOUT, Site Plan 22051 (05) 101 - SITE LOCATION PLAN, All Drawings/Plans 22051 (05) 102 - SITE TOPOGRAPHY, Site Plan 22051 (05) 103 - EXISTING SITE PLAN, All Existing Plans 22051 (05) 104 - EXISTING SECTIONS, Proposed Roof Plan 22051 (05) 105C - ROOFS PLAN, All Drawings/Plans 22051 (05) 110A - BLOCK A FLOOR PLANS 2 O, All Drawings/Plans 22051 (05) 110A - BLOCK A FLOOR PLANS 1 O, Elevations - Proposed 22051 (05) 111B - BLOCK A ELEVATIONS 1_2, Elevations - Proposed 22051 (05) 112B - BLOCK A ELEVATIONS 2_2, All Drawings/Plans 22051 (05) 113B - BLOCK B FLOOR PLANS, Elevations - Proposed 22051 (05) 114A - BLOCK B ELEVATIONS 1_2, All Drawings/Plans 22051 (05) 116A - BLOCK C FLOOR PLANS, Elevations - Proposed 22051 (05) 117A - BLOCK C ELEVATIONS1_2, Elevations - Proposed 22051 (05) 120A - STREET ELEVATIONS, All Drawings/Plans 22051 (05) 121B - PROPOSED SECTIONS, All Drawings/Plans 22051 (05) 122 - BLOCK A SECTION, All Drawings/Plans 22051 (05) 123 - BLOCK B SECTION, All Drawings/Plans 22051 (05) 124 - BLOCK C SECTION, All Drawings/Plans 22051 (05) 130A - APARTMENT LAYOUT 1B2P A, All Drawings/Plans 22051 (05) 131A - APARTMENT LAYOUT 1B2P B, All Drawings/Plans 22051 (05) 132A - APARTMENT LAYOUT 1B2P C, All Drawings/Plans 22051 (05) 133A - APARTMENT LAYOUT 2B3P A, All Drawings/Plans 22051 (05) 134A - APARTMENT LAYOUT 2B3P B, Elevations - Proposed 22051 05 115A - Block B Elevations, Elevations - Proposed 22051 05 118A - Block C Elevations, All Drawings/Plans 22051 104 B - Substation, All Drawings/Plans 22051 141 - Cycle Storage, Other Transport Technical Note - , Drainage Drainage Statement - 10308 TN 001 Rev A,

RECOMMENDATION: Approved Subject To S106

Case Officer: Ms Kate Young
Date Valid: 05.04.2024

This application is presented to Planning Committee due to the number of unresolved planning objections

1.0 APPLICATION DETAILS

1.1 Site Description

The Fairfield Mabey Site in Chepstow is identified as a Strategic Development Site under Policy SAH3 of the adopted Local Development Plan. In November 2017 Outline Planning Permission DC/2014/01290 was granted for the creation of a new neighbourhood on the former shipyard at Mabey Bridge in Chepstow. In June 2019 the Reserved Matters DM/2019/00001 were granted. Both the outline planning permission and the reserved matters approval make provision for an area of employment land on the northern part of the site. This extends to 1.371 acres and was to be the location of an office and workshop based scheme. The legal agreement for the outline planning permission requires that this area is to be accessed, serviced, marketed and made available before the occupation of 40% of the new homes to be built on the site. The approved layout plan indicating that 6500m² flexible working space would be provided on the 1.3 acre site in the form of several four-storey blocks of offices. Four-storey development was considered acceptable in this location given the large vertical emphasis provided by the road and rail bridges adjacent to this part of the site and also because of the design precedent set by the adjoining Osbourne's development which has four-storey apartment buildings.

A Section 73 application was submitted and approved, DC/2022/01666, removing Condition 2a for planning decision DC/2014/01290 this effectively extend the period for the submission of reserved matters by three years following the date of the permission.

The site is adjacent to the River Wye which in this location is designated as a Special Area of Conservation (SAC), a Site of Special Scientific Interest (SSSI) and a RAMSAR site. The site, lies entirely within Zone C2 as defined by the Development Advice Maps (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15)

1.2 Value Added

At the request of planning officers the layout has been amended, the height of retaining walls has been reduced and the level of parking provision reduces. Amendments have been made to the northern part of the site as you approach from the riverside path under the two bridges from the Old Town to give the landscaping more prominence as you enter the site, in line with the principles of Place Making

1.3 Proposal Description

This Reserved Matters Application seeks the development of the final parcel of land at the Mabey Bridge site, with 46 affordable residential units and associated landscaping and infrastructure. The development will comprise three blocks of flats providing a total of 46 residential dwellings with a mix of 1 and 2-bedrooms.

The three blocks will have a different tenure:

Block A - Older Persons would be 4 stories high providing 15 flats 8 one bed and 7 two bed

Block B - Intermediate Rent , 3 story, 11 flats , 9 one bed and 2 two bed

Block C - General Needs Rent 3 story 20 flats 15 one bed and 5 two bed

Access to the site will be from Princess Way leading to a parking court arrangement comprising 26 car parking spaces. There are an additional five car parking spaces accessed directly from Princess Way on the south-western boundary Pedestrian access has been prioritised with a total of four pathways leading from the wider travel network and into the development site, in the interests of promoting active and sustainable travel. The proposal included a cycle storage building, tree planting, landscaping and infrastructure.

The ground levels will be raised and a retaining wall will be required. The residential blocks will have external finishes in a limited pallet of material, with multi stock brick to match the rest of the development at Mabey Bridge and Cedral Click Cladding, steel grey in colour.

2.0 RELEVANT PLANNING HISTORY (if any)

| Reference Number | Description | Decision | Decision Date |
|------------------|--|----------|---------------|
| DM/2018/00330 | The creation and installation of a secure block built Bat House (3m x 3m x 3.7m) rendered inside and out with locked secure door, flight entrance aperture, hanging areas and a surrounding 2.5m high enclosure fence with lockable gate for the specific purpose of providing accommodation for Lesser Horseshoe and other varieties of bats. In addition, the demolition of the former derelict 'Skip' Building at the North end of the site. The new Bat house is proposed as mitigation for a temporary habitat discovered during ecological survey works on site in July 2017. | Approved | 01.05.2018 |
| DM/2018/00728 | Non material amendments in relation to planning permission DC/2014/01290. | Approved | 13.06.2018 |
| DM/2018/01063 | Discharge of conditions 16 and 20 from planning consent DC/2014/01290. | Approved | 02.10.2018 |
| DM/2018/01163 | Discharge of conditions 17, 23 & 24 and 25 from planning consent DC/2014/01290. | Approved | 09.10.2018 |
| DM/2018/01194 | Discharge of condition 21 from planning consent DC/2014/01290. | Approved | 03.04.2019 |
| DM/2018/01742 | Partial discharge of condition 21 from planning consent DC/2014/01290. Relating to the Bridge Lowering Phase only. | Approved | 20.12.2018 |
| DM/2018/02044 | Mabey Bridge Addendum Remediation Strategy. Condition 20 Part d) | Approved | 05.02.2019 |

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|---------------|--|----------|------------|
| DM/2018/02091 | Discharge of conditions 6 (Phasing strategy), 7 (GI), , 10 (Environmental Health), 11 (Highways Sustainable), 13 (GI), 14 (GI), 15 (GI) and 18 (Highways Sustainable) from planning consent DC/2014/01290. | Approved | 04.08.2020 |
| DM/2019/00001 | Residential development of 345 dwellings and associated infrastructure and landscaping. | Approved | 17.06.2019 |
| DM/2019/00772 | Partial discharge of condition 21 of planning permission DC/2014/01290. | Approved | 09.07.2019 |
| DM/2019/01153 | Discharge of condition no.4 of planning permission DM/2019/00001 (details of the redi rock). | Approved | 26.09.2019 |
| DM/2019/01189 | Construction Method Statement (condition 22 of DC/2014/01290) and the following appendices: Appendix 1: Green Infrastructure Provisions Plan Appendix 2: Green Infrastructure Masterplan Appendix 3: Construction Environmental Management Plan - Construction Phase, July 2019 Appendix 4: Phasing Plan Appendix 5: Green Infrastructure Management Plan | Approved | 06.12.2019 |
| DM/2019/01343 | Discharge of condition 17 relating to planning application DC/2014/01290. | Approved | 07.10.2019 |
| DM/2019/01453 | Discharge of condition 8 (foul drainage) relating to application DC/2014/01290. | Approved | 08.11.2019 |
| DM/2019/01573 | Discharge of condition 20 E, F & G (geotechnical & geo environmental earthworks validation report - phase 1A: Proposed residential development Mabey, Bridge, Chepstow, Terra Firma (September 2019)). Relating to DC/2014/01290. | Approved | 06.12.2019 |
| DM/2019/01579 | Discharge of the following condition 9 (Water Management) and 12 (Surface Water) relating to planning application DC/2014/01290. | Approved | 23.10.2020 |

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|---------------|--|-----------------------|------------|
| DM/2019/01620 | Discharge of condition 2 relating to application DM/2019/00001. | Approved | 08.11.2019 |
| DM/2019/01822 | Discharge of condition no.4 of planning consent DM/2019/00001 (details of the readi rock) | Approved | 02.03.2020 |
| DM/2019/01960 | Reserved matters approval for 26 affordable housing units. | Approved | 23.04.2020 |
| DM/2019/01961 | Reserved matters re-plan approval for 13 plots. | Approved | 17.02.2020 |
| DM/2020/00130 | Discharge of condition 17 from planning consent DC/2014/01290 (Construction Traffic Management Plan, January 2020). | Approved | 03.07.2020 |
| DM/2020/00356 | Discharge of conditions 20 (geo technical & geo environmental earthworks validation report). Relating to application DC/2014/01290. | Pending Consideration | |
| DM/2020/00490 | Discharge of condition 19 relating to DC/2014/01290. (Estate street phasing and completion strategy). | Approved | 18.06.2020 |
| DM/2020/00508 | NMA - Change the house type at Plots 12, 13, 14, 147, 221 and 222 from a Folkstone to a Maidstone. (Relating to application DM/2019/00001). | Approved | 05.05.2020 |
| DM/2020/00519 | Discharge of conditions 3, 5 and 7 from planning consent DM/2019/00001. | Approved | 14.05.2020 |
| DM/2020/00662 | Non-material amendment to planning consent DC/2014/01290:- Vary the wording of Condition 8 (Foul Drainage Scheme) of outline planning permission. The reason for seeking the NMA is to allow the approved foul water drainage scheme to be implemented in a phased manner. | Approved | 02.07.2020 |
| DM/2020/00711 | Non material amendments in relation to planning consent DM/2019/0000; removal of swales from the proposed development. | Approved | 30.06.2020 |

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|---------------|---|----------|------------|
| DM/2020/00784 | Discharge of condition 26 (street management and maintenance plan) relating to application DC/2014/01290. | Approved | 06.08.2020 |
| DM/2020/00972 | Discharge of condition no. 17 (Construction Traffic Management Plan) of planning consent DC/2014/01290 | Approved | 13.08.2020 |
| DM/2020/00982 | Non-Material Amendment of condition 21 on outline planning permission DC/2014/01290. | Approved | 11.09.2020 |
| DM/2020/01526 | Discharge of condition 17 (Mabey Bridge Construction Traffic Management Plan) relating to application 2014/01290. | Approved | 23.12.2020 |
| DM/2021/00128 | Tree works as per attached report. | Approved | 12.04.2021 |
| DM/2021/01119 | Proposed entrance feature to form gateway to new development. | Approved | 20.09.2021 |
| DM/2021/01131 | Discharge of condition no. 6 of planning consent DM/2019/00001 (details of the location of all of the signage and all street furniture) | Approved | 20.09.2021 |
| DM/2022/01666 | Removal of condition 2a for planning decision DC/2014/01290. (Extend the period for the submission of reserved matters) | Approved | 16.02.2024 |
| DM/2023/00148 | NMA relating to DM/2019/00001: Replace the Maidstone house types at plots 2, 4, 6, 10, 11, 14, 17, 20, 45, 46, 56, 57, 58, 67 to the Ellerton house type. | Approved | 09.03.2023 |
| DM/2023/00956 | NMA to vary the wording of Condition 2 of planning DM/2019/01960. | Approved | 04.08.2023 |
| DM/2023/01550 | Modification to S106 agreement relating to planning permission DC/2014/01290. | Approved | 22.12.2023 |

| | | | |
|---------------|--|-----------------------|------------|
| DM/2024/00422 | Proposed development for residential dwellings and associated landscaping and infrastructure. | Pending Determination | |
| DM/2024/01423 | Substitution of trees. | Approved | 10.01.2025 |
| DC/2017/01047 | Removal of derelict buildings within the boundaries of the former Mabey Bridge site. The building is a former Engine Shed adjacent to the Factory Buildings (now demolished) and were created circa 1918-1920. They have been surveyed and a complete record of their current form will be retained. | Approved | 29.09.2017 |
| DC/2014/01290 | Redevelopment of the site to create a new neighbourhood including: a range of new homes (apartments, houses and some sheltered accommodation for the elderly - use classes C2 and C3); new offices and workshops (use class B1); new commercial leisure facilities (use classes A1 and A3); the retention and flexible change of use of brunel house to commercial, residential and / or community uses (use class A1, A3, B1, C2, D1 and D2); a network of open spaces including a new riverside linear park, footpaths, public open space and areas for informal recreation; highways infrastructure including accesses and paths; and requiring: site clearance and demolition works, treatment and preparation, the installation of new services and infrastructure, the creation of new treatment/amenity wetlands and drainage channels, ecological mitigation and enhancement works (including improvements to the Beaufort Quarry) and improvements / works to the highways network and other ancillary works and activities An Environmental Impact Assessment was submitted with this application. | Approved | 27.11.2017 |
| DC/1987/00947 | Reinstatement Of Berthing Facilities By Means Of New Sheet Pile Wall In Order To Transport Heavy Girders From Works. | Approved | 23.09.1987 |

| | | | |
|---------------|--|------------|------------|
| DC/2017/00752 | Removal of two sets of derelict buildings within the boundaries of the former Mabey Bridge site. | Acceptable | 21.08.2017 |
| DC/2007/00498 | Demolition of existing temp offices, replacement with one port cabin with relocation of some staff to 3 Brunel House and also erection of new maintenance storage building | Approved | 21.06.2007 |
| DC/1980/01259 | Prefab Office Building APP_TYP 04 = Renewal, Temp Permission DEV_TYP 03 = Extension MAP_REF = 353755193775 | Approved | 09.12.1980 |
| DC/2007/00377 | Internal alterations to all existing floors and attic | Approved | 02.07.2007 |

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision
S4 LDP Affordable Housing Provision
S8 LDP Enterprise and Economy
S9 LDP Employment Sites Provision
S12 LDP Efficient Resource Use and Flood Risk
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design
SAH3 LDP Fairfield Mabey, Chepstow

Development Management Policies

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements
E1 LDP Protection of Existing Employment
SD2 LDP Sustainable Construction and Energy Efficiency
SD3 LDP Flood Risk
SD4 LDP Sustainable Drainage
GI1 LDP Green Infrastructure
NE1 LDP Nature Conservation and Development
EP1 LDP Amenity and Environmental Protection
MV1 LDP Proposed Developments and Highway Considerations
MV3 LDP Public Rights of Way
MV4 LDP Cycleways
DES1 LDP General Design Considerations

Supplementary Planning Guidance

Affordable Housing SPG July 2019:
[https://www.monmouthshire.gov.uk/app/uploads/2019/09/Final-Adopted-SPG\[1\]July-2019.pdf](https://www.monmouthshire.gov.uk/app/uploads/2019/09/Final-Adopted-SPG[1]July-2019.pdf)

Infill Development SPG November 2019:

[https://www.monmouthshire.gov.uk/app/uploads/2020/02/Appendix-2-Infill\[1\]Development-SPG-Latest-Version-for-Final-Adoption-2020-Dave-adjustments\[1\]00000002.pdf](https://www.monmouthshire.gov.uk/app/uploads/2020/02/Appendix-2-Infill[1]Development-SPG-Latest-Version-for-Final-Adoption-2020-Dave-adjustments[1]00000002.pdf)

Renewable Energy and Energy Efficiency SPG March 2016:

[http://www.monmouthshire.gov.uk/renewable-energy-energy-efficiency\[1\]supplementary-planning-guidance](http://www.monmouthshire.gov.uk/renewable-energy-energy-efficiency[1]supplementary-planning-guidance)

Green Infrastructure April 2015:

<http://www.monmouthshire.gov.uk/app/uploads/2015/07/GI-April-2015.pdf>

Monmouthshire Parking Standards (January 2013)

[http://www.monmouthshire.gov.uk/app/uploads/2015/07/Mon-CC-Parking\[1\]Standards-SPG-Jan-2](http://www.monmouthshire.gov.uk/app/uploads/2015/07/Mon-CC-Parking[1]Standards-SPG-Jan-2)

Green Infrastructure April 2015:

<http://www.monmouthshire.gov.uk/app/uploads/2015/07/GI-April-2015.pdf>

Conservation Area Appraisal

Chepstow Conservation Area Appraisal (March 2016):

[http://www.monmouthshire.gov.uk/planning-policy/supplementary-planning-guidance/chepstow\[1\]conservation-area-appraisal](http://www.monmouthshire.gov.uk/planning-policy/supplementary-planning-guidance/chepstow[1]conservation-area-appraisal)

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

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

Planning Policy Wales (PPW) Edition 12

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

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

Technical Advice Notes

Technical Advice Note (TAN) 15: Development and Flood Risk (2004):

<http://gov.wales/topics/planning/policy/tans/tan15/?lang=en>

5.0 REPRESENTATIONS

5.1 Consultation Replies

Chepstow Town Council -

Original consultation response recommended refusal on the grounds:

Lack of suitable parking provision

Lack of information on the future management of green space

Lack of suitable provision for household refuse.

Lack of outdoor space for laundry facilities.

Latest observation(s): Chepstow Town Council reiterates its initial refusal and in addition:

1. Notes that that insufficient alterations have been made to cover the initial objections.
2. That it lacks confidence in the development proposal and would like to see a full development plan delivered for the whole area to include density, landscaping and inclusion of a suitable visitor space for the Severn Princess prior to any further building.

Highway Authority - No objection

NRW - No objection

Office for Nuclear Regulation -No comment

Network Rail has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission.

Gwent Police - No objection

The development is seeking SBD accreditation and discussion have already taken place between the Gwent DOCO and developer

SuDS Approval Body No objection

The application has submitted a SAB pre app showing they are discharging all surface water via the new sitewide network into the tidal Wye

MCC Housing

There is currently a high demand for affordable housing in Monmouthshire, there are currently 2,036 households on Monmouthshire's Common Housing Register in housing need. Of these, 382 would prefer to live in the Chepstow area. There is a particularly high need for 1 and 2 bedroom accommodation.

GI Landscape- No objection

MCC Countryside - No comments other than those set out in the Green Infrastructure response

Ecology - No Objection Subject to Conditions.

The Council's ecologist originally queried whether the HRA would need to be updated to ensure the development was appropriate. However, having reviewed the HRA and the officer is confident that it is extensive enough to cover the alterations proposed for this Reserved Matters application. The HRA details potential impacts to the Severn Estuary Marine Site, River Wye SAC and Wye Valley & Forest of Dean Bat Sites SAC and Wye Valley Woodlands SAC.

The officer cannot identify any impacts that have not been previously considered and therefore do not think that the HRA needs to be updated to inform this application. An ecological appraisal report by BSG Ecology has been submitted to inform the application.

Active Travel

Please confirm that at least one connection from the site to the coastal path is rollable with a gradient of less than 5% /1 in 20, in line with desirable minimums in DE103.

Please confirm that the stepped access to the coastal path will include hand-rails on both sides and that the spec. meets DE104.

Thank you for adding cycle parking to the design. We note that there is no short-stay cycle parking. Cycle parking should be in line with ATAG/ Active Travel Act guidance, section 14.8 If this site is for sheltered/elderly housing, please provide additional short-stay parking for visitors and carers, in the numbers in ATAG table 14.4,.

Please use a design for cycle storage such as CycleHoop cycle hangar, and/or set the hangars further back to avoid the passage of pedestrians along the path being blocked by us of the cycle storage at busy times. Regardless of land use, at minimum, please add a Sheffield stand with tapping rail beside the secure cycle storage, visible from the accommodation, for short-stay accessible parking. Move the cycle stands north for this if necessary.

Tree Officer - The site is outside of the Chepstow Conservation Area and there are no Tree Preservation Orders on the site, in fact there are no trees on the site.

Public Rights of Way - No objection

The Green Infrastructure Plan shows pedestrian access into the site from the estate road, and then there are two routes to allow pedestrians to access the riverside. Access of this type through the proposed development is welcomed. There remains an intention to create a path that runs adjacent to the River Wye from Chepstow town centre, past this development and onwards to the south. Therefore, the riverside path shown on the Green Infrastructure Plan is an essential component for public access at this location.

5.2 Neighbour Notification

Letters of objection received from 29 addresses (23 of these related only to the Severn Princess)

It's not clear how the Severn Princess (listed on Historic Ships Register) will be protected. The Severn Princess is on the National Ships Register and played an important part in the history of Chepstow

MCC not enforcing planting plans

Archaeology being removed from site without examination.

Insufficient Infrastructure

We were not consulted

Impact on views to the castle

Red brick is out of keeping

Noise pollution

Loss of privacy

Light pollution

Equipment at roof level will detract significantly from the view

No improvement to the A48

Contrary to development plan as this land was allocated as industrial / commercial.

From the original planning application the number of dwellings at this site has already been increased

Detrimental impact this had on an already on a road junction

Hardwick Hill has poor air quality

The river front area is being ruined as a wild life habitat

Tower blocks are inappropriate and adversely affect the landscape

Increase in traffic

Emergency vehicles will not be able to pass

I am concerned about the potential negative impacts that this development could have on our community.

Insufficient parking provisions

Increase in the amount of on street parking

Congestion with just one access into the site

I object to the delays in completing essential community amenities such as the riverside footpath and landscaping/green spacing.

5.3 Other Representations

None Received

5.4 Local Member Representations

Cllr Paul Pavia

As a resident to Brunel Quarter and one of the local County Councillors for Chepstow, whilst I do understand the need for additional and affordable accommodation options, I do have some concerns about this specific development.

I believe there was local understanding that there would be some commercial/retail space in that area of the development and therefore it is disappointing that a block of flats are earmarked for that area.

Chepstow Town Council rightfully point out a number of issues that neighbours have raised with me: Lack of available parking will be detrimental to the amenity of the area by residents/visitors double parking, which is already a problem and the development is not complete.

Lack of information on the future management of the green space.

Refuse - lack of sufficient provision for household waste.

Outdoor space - lack of outdoor space for laundry facilities.

I also note the comments made by Network Rail, given the proposed developments proximity to its land and rail infrastructure.

Two key points I would like to highlight:

Foundation works and ground disturbance: Network Rail offers no right of support to the development and requires specific approval and careful monitoring for any foundation works or ground disturbance that may affect its property or structures.

Noise and vibration impacts: The potential noise and vibration impacts caused by the proximity between the proposed development and the existing railway must be assessed in the context of Planning Policy Wales and Technical Advice Notes. The current level of railway usage may change at any time without notification.

Lastly, the Severn Princess, a listed historic monument and a national asset, requires a formal legal agreement from MCC, Network Rail and DWH/Barrett Homes to be sited and preserved in the Brunel Quarter (preferably with a visitor centre) in perpetuity. Any development so close to its current location that would threaten its future - through damage or vandalism - should be denied permission.

Please note all representations can be read in full on the Council's website:

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

6.0 EVALUATION

6.1 Principle of Development

6.1.1 Suitability of the site for employment use

The parcel of land is identified as part of a Strategic Development Site under Policy SAH3 of the adopted Local Development Plan. The majority of the rest of the site has now been built up for housing as per the previous approvals. Both the outline planning permission and the reserved matters approval identify, the site of the current application, as an area for employment provision in the form of an office and workshop scheme. The legal agreement for the outline planning permission requires that this area is to be accessed, serviced, marketed and made available before the occupation of 40% of the new homes to be built on the site. The approved outline layout plan indicates that 6500m² flexible working space would be provided on the 1.3 acre site in the form of several four-storey blocks of offices.

In August 2022, BDW Homes submitted a pre application request exploring possible, alternative uses of land parcel zoned for employment purposes. The applicants have actively marketed the site continuously since 2019 for B1 office and workshops but due to the current economic climate there was very little interest. The council accepts that it will be very difficult to deliver a B1 Use on this site. This reflects a trend that can be seen across the county. It is therefore appropriate to look for

alternative uses for the site without which the development of the whole of the site could stall. That pre-application concluded that provided that a robust marketing report was submitted with any future application demonstrating that no employment generating uses could be found for the site then the council would consider alternative uses.

6.1.2 Marketing

In 2019, BDW appointed local property agents EJ Hales to market the land for a broad spectrum of commercial and employment uses. Marketing began formally in December 2019 with direct dispatch of the brochure to agents, developers and investors active in the South Wales and Bristol region. The brochure was also placed on EJ Hales' website and remains there currently, with marketing of the site being continuous for a period of 4 and a half years, which includes pre and post pandemic conditions. The most recent update from EJ Hales is dated 13th December 2023 and accompanies this planning application as background information. The overall conclusion is that there is no credible interest in the site for commercial and employment use.

In July 2024 Savills submitted an updated Conditions, Prospects and Proposals Appraisal looking at the market conditions in Chepstow and demand for commercial premises. This report is attached in full as appendix 1. The report identified that:

Marketing, at the time has been on-going for four and a half years, with reviews of interest being provided to BDW by EJ Hales on a regular basis. The most recent update which summarises the whole campaign was provided in December 2023 and reports that:

- a) There was some interest initially at the beginning of 2020
- b) This included interest from Rombourne (the serviced office provider) and Travelodge (the hotel operator), but both concluded that schemes were not feasible.
- c) There has been no interest from more conventional business/office space providers, which reflects basic development economics: with rents along more accessible locations along the M4 corridor only reaching between £12 and £15 per square foot, and construction costs (which exclude land acquisition) of £150 per square foot and rising, even a scheme with all space pre-let would not be commercially viable or fundable. Similar concerns about development economics would apply to flexible/short term let or licence based office spaces
- d) There was more substantial interest from care home and senior living providers. At least one party remains potentially active, although this was for a retirement home which would generate very limited employment.
- e) There was no interest from any party for light industrial workshop space.

Even if there was some demand the basic development economics are very challenging with rents only likely to reach between £6-£7 per square foot and construction costs of £100 (which are again rising rapidly) making schemes unviable and funding very difficult to secure. Some interest from more industrial operators was recorded - with a Portable Building and Self Storage proposal making limited progress before withdrawing.

Development and take up of office space outside larger urban areas - and even in much more accessible locations - has been very limited. Activity has been in significant decline for some time with record levels of office accommodation vacancy in even the most attractive and established locations. A precise figure of take-up for Chepstow is difficult to predict, but one measure may be to look at other office providers in Chepstow, for example Basepoint located on the Beaufort Park and Fuse on Station Road. Both of these buildings experienced success pre pandemic but now see a significant fall in demand for their services.

For other forms of light industrial or workshop (B1b and B1c) space, there is very limited evidence of any activity. Take-up in class B has focused on B8 (storage and distribution) operations, with some limited existing general industrial (B2) space being occupied.

The report concluded that "There is no demand and interest for B1 space on the site of any type or size. This is despite active marketing that has been on-going since December 2019. This is explained by two main factors. The first comes from general patterns of demand and interest. The second is a result of basic development economics - there is a significant gap between construction costs and income which means that, even if there was occupational interest to take new space - a

scheme could not be funded. Looking forward, the position on demand, interest and economics is highly unlikely to change. Significant office requirements will be very rare across a much wider area, and any that do arise will be very difficult to fund (speculative conventional office development may find this impossible). There may be some limited demand for further small flexible or hybrid work space, but the economics of this are fragile too - with the current cluster of remote working hubs often finding space from the conversion or adaptation of existing and empty buildings. Hubs are also being promoted by Welsh Government as part of its remote working strategy."

6.1.3 Alternative Uses

Planning officer have reviewed the submitted reports and consider that they do supplied details of the marketing of the site and a comprehensive analysis of market trends. This is evidence that it is unlikely that the site will be developed for commercial activity and is likely to remain vacant. Officers accept that it will be very difficult to deliver a B1 Use on this site. It is therefore appropriate to look for alternative uses for the site.

6.1.4 Policy Support for Affordable Housing

It is recognised that there is a need and a shortfall in the amount of affordable housing provision in both urban and rural areas of the county. Given that the site is unlikely to be developed for commercial activity and its very sustainable location, within walking distance of Chepstow Town Centre it is considered that delivery of the site for a 100% affordable Housing scheme, helps to meet other objectives of the plan without detriment to employment land which is available elsewhere in the area. Policy S4 of the LDP outlines affordable housing provision. All affordable housing units, must be constructed to the Welsh Government's Development Quality Requirements.

Affordable housing is defined in paragraph 4.2.25 of PPW 12:

'Affordable housing for the purposes of the land use planning system is housing where there are secure mechanisms in place to ensure that it is accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers'. Paragraph 4.2.26 extends this definition further noting: 'Affordable housing includes social rented housing owned by local authorities and RSLs (registered social landlords) and intermediate housing where prices or rents are above those of social rent but below market housing rents and prices'.

6.2 Sustainability

The site is in a highly sustainable location. The Sustainable Transport Hierarchy for Planning outlined in PPW12 states that the in relation to new development, walking, cycling and public transport are prioritised ahead of the use of private motor vehicles. In this case, walking and cycling are being promoted. From the site, links have been put in place so that the residents can walk to the town centre via Station Road and the underpass under the A48 and can also walk to Lower Chepstow via the Osborn's Development to Lower Church Street. Residents will be able to walk to the adjacent Railway station for trains to Gloucester and Severn Tunnel junction from where they can access trains to Bristol, Newport and Cardiff. The site is also within walking distance of Chepstow Bus Station and other facilities in the town centre. This site complies with the objectives of the Sustainable Transport Hierarchy.

Pobl, the applicant, has a committed approach to sustainability which is reflected in the measures proposed for the apartment blocks at Brunel Quarter with renewable technologies specified in the form of photovoltaic panels, air-source cylinders and mechanical ventilation with heat recovery. In addition to these renewable technologies, the building fabric will also be enhanced to provide lower u-values and greater air tightness than required by the current Building Regulations and Welsh Development Quality Requirements (WDQR Standards) which will result in an EPC rating of A for each apartment to reduce the energy bills of occupants.

6.2.1 Good Design

The design of the scheme has been developed through several pre application meeting between planning officers and the developers. It has been accepted that a four-storey development is acceptable in this location given the large vertical emphasis provided by the road and rail bridges

adjacent to this part of the site and also because of the design precedent set by the adjoining Osbourne's development which has four-storey apartment buildings.

The buildings have been arranged to build a defined road frontage both to the north and east roads while providing visual permeability to the river. Block A has been designed as a four storey building with an architectural feature on the north east corner. This feature introduces the Fairfield Mabey development to visitor and residents when arriving from the North via the Riverside Path. Blocks B and C define both ends of the site's road frontage. Both blocks are three storey buildings that reflect the scale of the surrounding context. Parking is efficiently arranged central to the site, allowing visual permeability to the river. The design has progressed to include a landscape proposal that integrates the drainage solutions, rationalises parking and footpaths arrangement and increases the width of the green buffer alongside the riverside walkway.

6.2.2 Secure by Design

Gwent Policy have reviewed the site layout offering crime prevention and physical security advice taken from guidance and best practice by Secured by Design (SBD). The development is seeking SBD accreditation and discussion have already taken place between the Gwent Designing Out Crime Officer and developer. The below recommendations have been made to allow the development to achieve the desired SBD Gold award.

The development boundary is to be a combination of a retaining wall to the east of the site, and native hedge row to the north, south, and west of the development. To encourage and promote natural surveillance across and into the site I recommend the hedge row is kept to a maximum height of 1 meter. This will maintain a clear divide between the public and private space whilst still providing a physical defensible boundary between the two.

With regards to the larger trees and small shrubs within the development, it is recommend a regular management and maintenance plan is put in place to prevent encroachment or uncontrolled growth reducing surveillance and restricting access along footpaths.

The proposed layout, orientation and placement of the apartment blocks and their associated active rooms do promote natural surveillance and active use of the footpaths. SBD recommend that where a footpath is expected to be in constant use it is should be supported by the appropriate lighting schedule. The footpath that runs along the east side of the development will require column lighting in accordance with BS 5489-1:2020. Bollard lighting is no permitted as a suitable lighting option.

All of the allocated parking bays have been sighted in small groups and close or adjacent to their associated Blocks (A,B, and C). All of the parking bays are within view of active rooms. These parking locations will need to be lit in accordance with BS 5489-1:2020 lighting columns.

Within the main communal parking area for the development is a small substation. To achieve the desired SBD Gold rating this building will require several security attributes. The proposed location and orientation of the external bike stores meets the requirements for SBD.

6.2.3 Place Making

PPW12 says that good design is fundamental to creating sustainable places where people want to live, work and socialise. Policy DES1 of the LDP requires that the development contribute to a sense of place while its intensity is compatible with existing uses. In this case the proposed development has residential development on two sides of it so a residential use is considered compatible. It has been accepted that a four-storey development is acceptable in this location given the large vertical emphasis provided by the road and rail bridges adjacent to this part of the site and also because of the design precedent set by the adjoining Osbourne's development which has four-storey apartment buildings.

When entering the site from the Old Town via the Riverside walk, it is the northern part of the site that is most prominent. It is important that this part of the site provides a statement entrance. This is achieved through the four storey apartment block being sited on the corner of the plot surrounded by substantial landscaping. The choice of finishing materials has been developed to reflect the site's

industrial heritage and to promote a sense of place. There will be a predominance of brick, particularly in the northern part of the site. A single brick type would be used throughout the site in line with the wider development at Mabey Bridge.

6.2.4 Green Infrastructure

Policy GI1 of the LDP states that development proposals will be expected to maintain, protect and enhance Monmouthshire's diverse green infrastructure network by retaining individual green assets where possible and integrating them into the new development where possible and also by incorporating new and enhanced green infrastructure. This stance is also a requirement of PPW12. In this case, significant GI is being provided within the site as can be seen on the submitted Green Infrastructure Plan.

6.3 Landscape

The Landscape and Green Infrastructure Officer has reviewed the submitted plan and has no objection overall but requires a condition to be imposed seeking Landscape Management and Maintenance Plans to be submitted prior to works commencing on site. The officer has been party to negotiations and has helped to enhance and develop the scheme to an acceptable position. In particular, in response to comments received during the planning consultation process, the applicant has amended the northern boundary to be landscape-led to improve the northern gateway to the site, accessed via the Riverside Path.

6.4 Historic Environment

The Heritage Officer has reviewed the submitted plan and has raised no objection in principle in heritage terms. It was anticipated that the employment use would have created larger block of buildings and so the blocks of flats are acceptable. Different design options were discussed at length at pre application stage, including forms similar to that of Brunel Yard. However, the submission include simpler blocks of flats with flat roofs. These have been broken up with balcony's and varying heights with a range of finishing materials, brick and cladding to add interest. The general arrangement on site is also acceptable as this maintains gaps between the buildings to ensure gaps are maintained. Overall this has a limited impact on the heritage assets of the site.

Concerns were raised over the height of the retaining wall to the riverside walk and the focal point of the northern corner of block A. In relation to the retaining wall, this is necessary given the levels of the site and flooding implications, however it is not proposed that this will be a stone finish and so is considered acceptable. In relation to the corner of block A improvements have been made in line with the GI and Urban Design Officer and so overall there are no objections to the scheme.

6.5 Biodiversity

An ecological appraisal report by BSG Ecology has been submitted to inform the application. A pre-application meeting for this site was held on 21/06/2023, where ecological advice was provided. Following review the Council's Ecology Officer is satisfied that the HRA for the wider site remains sufficient.

Protected Sites

The River Wye SAC is located within close proximity to the proposed development and therefore there is potential for the proposals to negatively impact the SAC. Consequently, the updated proposals will need to be screened through a Habitats Regulation Assessment to test any likely significant effect that was not considered during the initial outline planning permission.

There may also potential for indirect impacts on feeding habitat of birds associated with the Severn Estuary SPA which is located 1.9km from the survey site. The ecological appraisal notes that a number of qualifying features of the Severn Estuary SPA were observed within the wetland area on the opposite side of the River Wye, including curlew, shelduck and redshank.

It is noted within the Ecological Appraisal that impacts to the European Protected Sites were considered during the HRA agreed during the original outline planning permission. The HRA adequately assess impacts on the SAC and the Council's ecology officer raises no objection.

Priority Habitats

Whilst the ecological appraisal details the presence of some recolonised vegetation, it is not considered to qualify as open mosaic habitat. The nearest area of open mosaic habitat is located approximately 270m south of the site.

Saltmarsh has been identified in the area between the site and the River Wye. Despite being located outside of the red-line boundary, there is potential for the proposals to negatively impact the habitat through inappropriate construction methods, as well as an increased level of disturbance. Surveys for the Outline Planning Permission identified invertebrate assemblages within the saltmarsh as of regional importance with several nationally localised species recorded.

Biodiversity Net Benefit

Planning Policy Wales (PPW) 12 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 12 respond to the Section 6 Duty of the Environment (Wales) Act 2016.

The Landscaping and Green Infrastructure plans details the following enhancements:

Approximately 170m of native hedgerows

Planting of 43 native tree

Sowing of wildflower areas

Provision of bird and bat boxes within each of the buildings

Two invertebrate 'hotels' and multiple bee bricks located across the site

Whilst the provision of bird nesting provision is considered to be low, considering the advantageous location adjacent to the River Wye, overall, the above enhancements are considered to offer an overall net benefit for biodiversity in line with PPW 12. It is agreed that full details regarding the above enhancements can be provided through a Green Infrastructure Management Plan (GIMP), including details of species composition, specification and ongoing management.

A primary objective of PPW12 is to maintain and enhance the resilience of ecosystems and the benefits they provide. Whilst the ecological value of the site is limited, the site is ecologically sensitive due to its proximity to the adjacent River Wye that has been designated as Special Area of Conservation (SAC), a Site of Special Scientific Interest (SSSI) and a RAMSAR site. This sensitivity was considered in depth at the outline stage that confirmed the appropriate development footprint for the site. The reserved matters application reflects this development footprint. The Mabey Site as a whole provides significant enhancement with large areas of open space and a bat hotel. Neither NRW or MCC Ecologists have objections to the proposal. Therefore, it is considered that the application complies with the objectives of policy NE1 of the LDP

6.6 Impact on Amenity

To the east of the site is the River Wye and beyond that the residential development in Sedbury is set at a higher level. To the north of the site is the main spine road that links the Mabey site to the Osbourne site under the rail and road bridges. To the south of the site is new residential development allowed under Reserved Matters application DM/2019/00001. That part of the development is still under construction. Beyond the southern boundary of the site will be a formal urban edge comprising of a native hedge with railings behind and beyond that the side gable walls of two new properties and a parking court. There will be approximately 11.8 metres between the side elevations of the approved dwellings and the south elevation of block C. There is a wide strip of landscaping, including tree planting between the two developments. To the west of the site beyond the spine road is further residential development approved under applications DM/2019/01960 and DM/2019/00001. There are several two story properties facing onto the application site. Two of these properties face directly towards the west elevation of block C, at a distance of 18.6 metres. Block C is three stories high. Between these houses and block C is the spine road, car parking provision and a hedge. Two of the recently constructed dwellings will face towards the access driveway and parking court of the new development. There will be some additional noise and disturbance as a result of the new access and parking provision but this is considered to be less than that resulting

from a commercial use, which is what this site has permission for. The impact of the three story block C could have an over dominant impact of the existing residents but given the separation distance and the orientation this will not result in an over overpowering impact or loss of privacy. The new development proposed for this site will not have a significant adverse impact on the privacy, amenity and health of the occupiers of neighbouring properties and therefore accords with the objectives of policies DES1 and EP1 of the LDP.

6.7 Transport

6.7.1 Sustainable Transport Hierarchy

The location of the site itself promotes healthier living. The site is located in a very sustainable location within easy walking distance to the town centre and its many facilities. There would be less dependence on the car with the new residents being able to walk to the shops, schools and other community facilities. In addition, the site is adjacent to Chepstow Train Station and close to Chepstow bus station. The location of this development encourages walking and cycling which results in a healthier lifestyle in accordance with the active travel aspirations within PPW12.

6.7.2 Active Travel

The Active Travel Project Officer has reviewed the scheme and welcomes the provision of cycle parking within the design. At the request of the Active Travel Officer an additional Sheffield cycle stand is being provided within the site. The design of the site is compliant with Active Travel Policies. The stepped access to the riverside walk will have handrails each side. All of the footway connection to the coastal path will be rollable with a gradient less than 5% /1 in 20. The applicants have submitted a plan that demonstrates compliance with policy DE103 and DE104 of the Active Travel Act Guidance. Mobility Scooter Storage is being provided internally in Block A

6.7.3 Access / Highway Safety

Policy MV1 of the LDP requires that all applications that are likely to have a significant impact on trip generation and travel demands must be accompanied by a Transport Assessment (TA). A TA was submitted as part of the outline application and was carefully considered by Welsh Government Transport Division and MCC Highway Engineers. It was determined that the junction of A48 Station Road was sufficient to serve a new development of up to 449 dwellings without the need for modification. This development is well under that trigger point. With 373 dwellings already approved on the wider Mabey Site and this development taking the total up to 419 dwellings. As part of this current application a Transport Technical Note prepared by Savills was submitted and it concluded that:

The redevelopment of the NSN1 site will generate increased traffic. The transport assessment for the scheme - which is based on standard trip generation figures - shows that this increase will be focussed on the A48/Station Road junction. However, the % increase here is modest and manageable. It is also likely to be overestimated - mainly because of the excellent accessibility of the site (which will see less people need to use their cars) but because of what is likely to happen in practice too (especially in the peak periods). The TA is likely to have underestimated the level of existing or permitted trips as well.

The highway authority does not object to the principal of the proposed change of use from commercial use to residential and acknowledge that the traffic movements associated with the proposal is not dissimilar to the approved use and is not considered to be detrimental to the capacity of the approved adjoining residential network. The Highway Authority acknowledge that the change of use to Old Persons, Shared Ownership and General Needs flats result in a reduction in associated vehicle movements over that of the approved commercial use of the site. The means of access is considered appropriate for the scale of development of proposed.

No drawing has been provided that details the internal layout and the prospectively adoptable areas, however the highway authority has considered that other drawings submitted particularly. Drawing No. 101/Rev P05 Site Wide Handworks Plan, Drawing No. 100/Rev P05 Illustrative Landscape Masterplan and Drawing No 22051(05) 100/Rev G Development Site Layout adequately details the extent of highway adoptable areas. It is anticipated that the applicant proposes to offer the internal estate road for adoption by the highway authority.

The highway authority has concerns regarding the lack of direct pedestrian connectivity from the block entrances and the prospectively adoptable estate roads. This matter has been discussed with the applicant who are happy to provide additional active travel routes through the site. It is not considered suitable to provide a footpath between blocks 1 and 2 to the north due to the presence of a retaining wall, however additional footpath links can be proved in an east west direction. This will be requested by condition.

6.7.4 Parking

It is proposed that 31 carparking spaces be provided on site, for the 46 units. There would be a parking court in the centre of the site, comprising 26 car parking spaces with a single access from Princess Way parking. There is also an additional five car parking spaces accessed directly from Princess Way on the south-western boundary.

Monmouthshire has a high dependency on the private car and the adopted parking standards reflect this dependency the councils adopted parking standards would require 51 spaces, this included visitor parking provision. The analysis provided by the applicant in support of the application indicates 30 spaces are required using TRICs forecast analysis. In addition to this Pobl, the Housing Association which is going to run the site, has supplied some anecdotal evidence in the form of a letter, which outlines car ownership on other sites that it runs. Their letter says.

"The proposal for 31 parking spaces to serve the 46 apartments at this site is considered sufficient to service the parking demand that is expected to be generated by this development. This is evidenced by the recent census data (2021) that confirms approximately 60% of affordable housing tenants own a car. This figure is reflective of the experiences of Pobl group while managing existing schemes where parking requirements are generally low within general needs accommodation where some parking areas in schemes with higher levels of provision are regularly underutilised.

In addition to the above, it is expected that the over 55's accommodation will generate the need for even fewer parking spaces than general needs accommodation. This assumption is based on Pobl's experience of managing similar developments in adjacent Local Authority areas where it is observed that tenants in this type of accommodation are more likely to utilise public transport as opposed to owning a private vehicle.

While considering the above, and the sustainable location of the proposed development site close to the public transport network, it is believed that the provision of 31 car parking spaces to serve the 46 apartments to be more than sufficient and would ensure that no housing management issues arise from parking matters."

Planning officers consider that given the sustainable location of the site and the evidence of car ownership for housing association tenants else where, that the provision of 31 car parking spaces is sufficient to meet the needs of the proposed residents.

6.7.5 EV Charging

While Pobl are in support of the move to EV vehicles and the installation of EV charging points generally, the proposed strategy for this development would be to ensure the infrastructure required to install EV charging points is positioned in service strips in land directly adjacent to parking areas. This would allow for EV charging points to be installed in future when the demand for charging points increase.

This approach is being proposed by Pobl for several reasons:

1. Car ownership numbers within affordable housing tenants is generally low, with even fewer numbers of tenants owning EVs which will result in little demand for EV charging.
2. The management and maintenance of the EV charging points would be costly, with this cost ultimately being incurred by the tenants through the service charge for minimal benefit at this time.
3. Installation of EV charging points could prove a Housing Management issue as tenants with a petrol or diesel vehicle may park in EV spaces, increasing potential for conflict whilst so few tenant own an EV.

Tenants will have the opportunity to submit requests to Pobl for the installation of EV charging points should they have the requirement for charging, which will be considered at the time of submission. The installation of additional EV charging points will also form part of the longer-term asset management programme at Pobl, and with the electrical supply already installed within service strips adjacent to the car parking at this proposed development, installation of EV charging points at a later date would be relatively simple.

6.8 Affordable Housing

There is currently a high demand for affordable housing in Monmouthshire, there are currently 2,036 households on Monmouthshire's Common Housing Register in housing need. Of these, 382 would prefer to live in the Chepstow area. There is a particularly high need for 1 and 2 bedroom accommodation. The price of housing in Monmouthshire has risen to a level beyond many local people can afford. The average house price currently stands at £339,923 (HM Land Registry, October 2023) and the affordability ratio is currently 9.2:1, meaning an average priced property costs approximately nine times average earnings.

The proposal is to provide a mix of tenures to create a balanced and sustainable community. It is proposed that one of the blocks will be provided as social rent, one will be shared ownership and one will provide accommodation for older people. This application is supported by Monmouthshire's Housing and Communities team due to the significant demand for affordable housing in the County. However, Block B should be provided as intermediate rent rather than shared ownership.

This land shall be used for affordable housing in perpetuity. In this case the developer Barratt David Wilson Homes have decided to build the houses on site and then transfer them to Pobl Housing Association. The design and layout of this site has been drawn up in association with Pobl. The development complies with WDQR standards. There will need to be a variation to the Section 106 attached to the outline permission to ensure that the all of the development is used for affordable housing in perpetuity.

6.9 Flooding

The planning application proposes highly vulnerable development (residential). NRW Flood Risk Map confirms the site to be entirely within Zone C2 of the Development Advice Map (DAM) contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning identifies the application site to be at risk of flooding and is within Flood Zone 2 and 3 Sea.

Condition 26 of associated planning permission DM/2022/01666 states the finished floor levels of buildings shall be set no lower than 10.75 metres above Ordnance Datum (Newlyn). The 'Mabey Bridge, Chepstow Site Development Layout' drawing by Powell Dobson Architects, Rev: F, dated 30.08.24, continues to show the finished floor levels of the proposed blocks would be set above 10.75 m AOD. NRW, therefore have no objection to the application as submitted.

6.10 Drainage

6.10.1 Foul Drainage

The foul drainage is to drain via gravity to the existing infrastructure to the western boundary of the development parcel in each instance via spurs provided and is to be offered for adoption to DCWW under a Section 104.

It is proposed that all the foul flows from the site would be discharged into existing public sewers which already cross the site. A hydraulic modelling assessment of the site was undertaken at the outline stage to assess the ability of the existing sewers to accommodate the proposed development. The capacity was found to be acceptable and Welsh Water confirm that, with some reinforcement work funded by the developer, the existing public sewers would be able to deal with the foul water discharged by the new development.

6.10.2 Surface Water Drainage

The application has submitted a SAB pre app showing they are discharging all surface water via the new sitewide network into the tidal Wye. The SuDS Approval Body offers no objection to the proposal.

6. 11 Phosphates

Under the Conservation of Habitats and Species Regulations 2017 it is necessary to consider whether the development should be subject to a Habitat Regulations Assessment. This is in particular reference to the impact of increased concentrations of Phosphates on designated SAC's. NRW has set new phosphate standards for the riverine SAC's of the Wye and Usk and their catchment areas. Development that may increase the concentration of phosphates levels will be subject to appropriate assessment and HRA. The eastern part of this site is within the 50 metre buffer zone of the River Wye SAC. The Council's Ecology Officer has reviewed the HRA and is satisfied that the impacts are addressed and raises no objections.

6.12 Planning Obligations

The applicants should enter into a 106 Legal Agreement (Deed of variation) requiring that all of the development be passed over to a registered housing provider, Pobl in this case and that all of the units are retained for affordable housing in perpetuity.

6.13 Response to the Representations of Third Parties and/or Community/Town Council

Councillor Pavia, as local member is concerned over the loss of commercial and retail space. While it would have been preferable to have had some employment generating provision on the site after 4 years of active marketing no developer has come forward to provide this. If this application for affordable housing was to be refused this would not guarantee that commercial activity would be attracted to the site due to the current economic circumstances as outlined in the main body of the report. It is likely that the site would remain vacant.

The local member is also concerned about the lack of parking provision on the scheme, this has been discussed in full in the main body of the report, given the sustainable location, proximity to public transport and a policy emphasis on active travel from PPW12 it is considered that the parking provision is acceptable. In relation to the future maintenance of the Green Infrastructure will be the responsibility of a management company (Greenbelt) who will be responsible for the maintenance of all of the green infrastructure within the red line boundary of the site- the same management company as the wider site. Bin stores are being provided internally on the ground floor of each block.

The local member is also concerned about the proximity of the site to the railway line. The site does not directly abut the railway line, between the red line boundary of this site is the spine road and a railway embankment. Network Rail provided a consultation response on the 17th April to this proposal offering no objection in principle but due to the proposal being next to Network Rail land and its infrastructure they included asset protection comments which will be attached to the decision notice by way of informatives.

Councillor Pavia and many local residents refer to the protection of the Severn Princess. Whilst the Council recognises the importance of the Severn Princess and the fact that it is now listed on the Historic Ships Register, the current site of the ship is outside of this red line boundary and does not form part of the application. The proposed development would have neutral impact on the protection of the ship, it will not alter the current location of the Severn Princess, nor hinder access to it. The status of the ship will remain as existing.

Local residents are concerned that on the main part of the site the planting plans are not being enforced. The site is still under construction and the landscaping is phased and ongoing. It has also been mentioned that there have been no improvements to the junction of the A48 and Station Road. As part of the outline application Welsh Government Traffic Division reviewed the Transport

Assessment and concluded that there was no need to improve the junction if less than 450 residential units were built on the Mabey site.

Residents consider that the construction of three and four story residential blocks is inappropriate and affect the landscape. The housing association are satisfied with this arrangement and have experience of running such blocks. It was always accepted that this part of the site would be developed with three and four story buildings given the large vertical emphasis provided by the road and rail bridges adjacent to this part of the site and also because of the design precedent set by the adjoining Osbourne's development which has four-storey apartment buildings. The choice of finishing materials is considered to be appropriate and matches the rest of the residential development on the site.

The site was previously industrial and has been identified for development through the Local Plan allocations and outline planning permission. The site has already been cleared, and any loss of wild life habitats will be compensated for through the proposed green infrastructure and planting within the site.

The impact that the development will have on the privacy, outlook and residential amenity of existing residents has been considered in depth in the main body of the report.

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

The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.15 Conclusion

The land has been marketed for a broad spectrum of commercial and employment uses since 2019. Evidence suggests that there is no credible interest in the site for commercial and employment use. There is substantial evidence that it is unlikely that the site will be developed for commercial activity and is likely to remain vacant, officers accept that it will be very difficult to deliver a B1 Use on this site. It is therefore appropriate to look for alternative uses for the site.

The site is located within the Chepstow Development Boundary within which there is a presumption in favour of new residential development in line with policy S1 and H1 of the LDP. It is recognised that there is a need and a shortfall in the amount of affordable housing provision in the county. Given that the site is unlikely to be developed for commercial activity and its very sustainable location, within walking distance of Chepstow Town Centre it is considered that this site can be developed for a 100% affordable Housing scheme in line with Policy S4 of the LDP .

It has been accepted that a four-storey development is acceptable in this location given the large vertical emphasis provided by the road and rail bridges adjacent to this part of the site and also because of the design precedent set by the adjoining Osbourne's development. The apartments have all been designed to meet WDQR standards and to comply with the Secure by Design Objectives. The overall design of the proposal accords with the objectives of Place Making as set out in PPW12 and will reflect the overall design of the rest of the Mabey Bridge development. The proposal accords with policy DES1 if the LDP b y providing good quality sustainable development. Throughout this site significant Green Infrastructure is being provided as can be seen on the submitted Green Infrastructure Plan.

The new development proposed for this site will not have a significant adverse impact on the privacy, amenity and health of the occupiers of neighbouring properties and therefore accords with the objectives of policies DES1 and EP1 of the LDP. The site is located in a very sustainable location

within easy walking distance to the town centre and its many facilities. There would be less dependence on the car with the new residents being able to walk to the shops, schools and other community facilities. In addition, the site is adjacent to Chepstow train station and close to Chepstow bus station. The location of this development encourages walking and cycling which results in a healthier lifestyle in accordance with the active travel aspirations within PPW12. The applicants have submitted a plan that demonstrates compliance with policy DE103 and DE104 of the Active Travel Act Guidance. Mobility Scooter Storage is being provided internally in Block A.

The highway authority acknowledge that the traffic movements associated with the proposal is not dissimilar to the approved use and is not considered to be detrimental to the capacity of the approved adjoining residential network. The Highway Authority acknowledge that the change of use to Old Persons, Shared Ownership and General Needs flats result in a reduction in associated vehicle movements over that of the approved commercial use of the site. The means of access is considered appropriate for the scale of development of proposed. It is proposed that 31 carparking spaces be provided on site, for the 46 units. There would be a parking court in the centre of the site providing 26 spaces, with as single access from Princess Way. There is also an additional five car parking spaces accessed directly from Princess Way on the south-western boundary, this is below the level of parking required by the adopted standards but the analysis provided by the applicant in support of the application indicates 30 spaces are required using TRICs forecast analysis. In addition to this Pobl, the Housing Association which is going to run the site, has supplied some anecdotal evidence in the form of a letter, which outlines car ownership on other sites that it runs. Planning officers consider that given the sustainable location of the site and the evidence of car ownership for housing association tenants elsewhere, that the provision of 31 car parking spaces is sufficient to meet the needs of the proposed residents.

The planning application proposes highly vulnerable development (residential) in a C2 Flood Zone. Condition 26 of the outline planning permission DM/2022/01666 states the finished floor levels of buildings shall be set no lower than 10.75 metres above Ordnance Datum. The proposal show the finished floor levels of the proposed blocks would be set above 10.75 m AOD. NRW, therefore have no objection to the application as submitted. It is proposed that all the foul flows from the site would be discharged into existing public sewers which already cross the site, the existing public sewers would be able to deal with the foul water discharged by the new development. The application has submitted a SAB pre app showing they are discharging all surface water via the new sitewide network into the tidal Wye. The SuDS Approval Body offers no objection to the proposal.

The application is policy compliant and is recommended for approval subject to a Deed of Variation to the existing section 106 agreement requiring that all the properties be handed over to a registered housing provider and will remain so in perpetuity.

7.0 RECOMMENDATION: APPROVE

A Deed of Variation to the existing S106 related to the outline application requiring the following:

All properties be handed over to a registered housing provider and to remain so in perpetuity.

S106 Heads of Terms

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

Conditions :

FIVE YEARS

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

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

LANDSCAPE COMPLIANCE

2 All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. Planting of Trees shall be in accordance with BS8545:2014 Trees: from nursery to independence in the landscape. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority.

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

LANDSCAPE MAINT

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

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features.

GI MANAGEMENT PLAN

4 A Green Infrastructure Management Plan shall be submitted to, 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 identified, protected and managed in the GI management plan.

a. Boundary buffers

b. Green corridors

c. Strategic landscaping and SUDs features that include soft landscaping

d. Ecological enhancements

b) Opportunities for enhancement to be incorporated

a. Management of treed and planted boundaries for GI and biodiversity

b. Maintain habitat connectivity through the site for species

c) Trends and constraints on site that might influence management of above features.

d) Aims and objectives of management.

e) Appropriate management options for achieving aims and objectives.

f) Prescriptions for management actions.

g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty year period).

h) Details of the body or organization responsible for implementation of the plan.

i) 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 as appropriate. 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 will be implemented in accordance with the approved details.

Reason: To maintain and enhance Green Infrastructure Assets in accordance with LDP policies, DES1, S13, GI1, NE1, EP1 and SD4. (Legislative background - Well Being of Future Generations Act 2015, Planning (Wales) Act 2015 Environment (Wales) Act 2016)

PD RIGHTS

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 any building or in the curtilage until an appropriate lighting scheme has been submitted to the Local Planning Authority and approved in writing. The strategy shall include lighting type, positioning and specification. The scheme shall be agreed in writing with the LPA and implemented in full.

Reason: To safeguard foraging and commuting routes in accordance with Environment (Wales) Act 2016 and Conservation of Habitats and Species Regulations 2017

ACTIVE TRAVEL LINKS

6 Prior to the construction of any part of the development above damp proof course level, a detailed scheme for the provision of active travel links through the site, east to west, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and retained for its use thereafter.

REASON: To secure Active Travel links through the site in accordance with policy MV2 of the LDP.

INFORMATIVES

0 The proposed development has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

SAFETY

Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basic Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact assetprotectionwales@networkrail.co.uk.

FOUNDATIONS

Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.

GROUND DISTURBANCE

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

EXCAVATIONS/EARTHWORKS

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail Asset Protection.

PLANT, SCAFFOLDING AND CRANES

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

NOISE

The potential for any noise/ vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of Planning Policy Wales and Technical Advice Notes which hold relevant national guidance information. The current level

of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.

Application Number: DM/2024/00557

Proposal: Proposed development of 50 affordable dwellings, sustainable drainage proposals, landscape planting, car parking and associated works.

Address: Land Off Tudor Road Wyesham Monmouth

Applicant: c/o Agent

Plans: 151-1 - F, 150 - E, 150-1 - F, 151 - F, 152 - E, 152-1 - E, 153 - D, 153-1 - D, 155 - F, 155-1 - F, 158 - F, 159 - E, 1804-100 - M, 103 - E, 1807-107 - A, 100 - I, 101 - B, 102 - E, 105 - D, 106 - E, 107 - D, 108 - C, 110 - E,

RECOMMENDATION:

Case Officer: Mr David Wong
Date Valid: 03.05.2024

This application is presented to Planning Committee due to the number of third party objections received being greater than 5.

1.0 Background

1.0.1 Tudor Road is one of two Urban Sites allocated within the Monmouthshire Local Development Plan (LDP) for residential development to meet the County's housing need. The site is within the Monmouth Town Development Boundary, comprising approximately 2.05 hectares on the eastern side of Wyesham, a suburb of Monmouth.

1.0.2 This allocated site is capable to deliver for around 35 dwellings. The site being on a slope and is adjacent to the open countryside, which is part of the Wye Valley Area of Outstanding Natural Beauty (AONB). The site is within the Phosphorous Sensitive Area Wye Valley Catchment and is a Registered Historic Landscape (Cadw).

1.0.3 This application has been amended several times to address concerns raised during the planning process. An amendment now includes an additional parcel of land to the northeast of the site. This land will be used to implement a long-term surface water drainage solution, which is aiming to mitigate the wider the excessive downstreaming of surface water problem that is currently impacting local residents.

1.0.4 Prior to the submission of this application, the developer's intention was to submit a standard housing scheme, providing a mix of market and affordable dwellings. However, Monmouthshire Housing Association is now working in partnership with Edenstone Homes for this project to provide a 100% affordable housing scheme.

1.1 Development Description

1.1.1 This application is for the erection of 50 affordable housing units, including sustainable drainage proposals, landscape planting, car parking and associated works.

1.1.2 The scheme comprises one new vehicular access point on the west boundary from Tudor Road. A new pedestrian link to the north of the site is proposed to provide opportunity to link the existing housing estate to the west. Parking is proposed in blocks throughout the development and is broken up by location and planting to avoid a mass area of parking.

1.1.3 The dwellings are proposed to be arranged around the existing key biodiversity and green infrastructure features of the site. The height range of the proposed dwellings is between 1 and 2 storeys with a mixture of housing types such as 2-storey houses and walk up apartments, along with a number of bungalows; these single storey units are to be located to the north of the site. The development focusses on a central green space framed with two pockets of development working with the existing key plantation features, creating a green corridor. The proposed boundary treatment includes a mixture of timber, fencing, brick walls and metal railing.

1.1.4 The site has also been designed in line with the Wales Housing Quality Standards 2023. Across the site, each property has a shed that is capable to provide private cycle parking. All homes will make the best use of renewables such as air source heat pumps with no gas connection, and solar panels to serve the units. There is a new on-site community garden to the east of the site.

2.0 RELEVANT PLANNING HISTORY (if any)

| Reference Number | Description | Decision | Decision Date |
|------------------|--|-----------------------|---------------|
| DM/2024/00557 | Proposed development of 50 affordable dwellings, sustainable drainage proposals, landscape planting, car parking and associated works. | Pending Consideration | |

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision
 S4 LDP Affordable Housing Provision
 S12 LDP Efficient Resource Use and Flood Risk
 S13 LDP Landscape, Green Infrastructure and the Natural Environment
 S16 LDP Transport
 S17 LDP Place Making and Design
 SAH8 LDP Tudor Road, Wyesham

Development Management Policies

SD1 LDP Renewable Energy
 SD2 LDP Sustainable Construction and Energy Efficiency
 SD4 LDP Sustainable Drainage
 DES1 LDP General Design Considerations
 EP1 LDP Amenity and Environmental Protection
 EP2 LDP Protection of Water Sources and the Water Environment
 EP3 LDP Lighting
 GI1 LDP Green Infrastructure
 H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements
 LC1 LDP New Built Development in the Open Countryside
 LC5 LDP Protection and Enhancement of Landscape Character
 MV1 LDP Proposed Developments and Highway Considerations
 NE1 LDP Nature Conservation and Development

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

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

Future Wales - the national plan 2040;

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 3 - Supporting Urban Growth and Regeneration - Public Sector Leadership

Policy 7 - Delivering Affordable Homes

Policy 9 - Resilient Ecological Networks and Green Infrastructure

Planning Policy Wales (PPW) Edition 12

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

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

Technical Advice Notes

Technical advice note (TAN) 2: planning and affordable housing

Technical advice note (TAN) 12: design

Technical advice note (TAN) 18: transport

5.0 REPRESENTATIONS

5.1 Consultation Replies

Monmouth Town Council – Recommend Refuse. There are concerns over the site drainage due to excessive water run-off from the Kymin. The proposal comprises an on-site drainage scheme. However, it is not clear how the water run-off from the Kymin will be dealt with to prevent flooding issues.

MCC Highways - No objection subject to conditions. The design includes an amended design that overcomes our previous concerns. The site now features an independent access and a redevelopment of the existing spur to serve the existing properties. This amended design overcomes our concerns regarding the placement of the remaining private parking bay and the related footway widths.

There is no objection to the internal layout of the proposal. However, we would recommend the introduction of a method of delineation between the carriageway and parking bays of number 15-19, such as a marginal strip.

All properties now have appropriate levels of parking provision and there is suitable space within the design for on-street parking of visitors. All parking bays are located in suitable locations and appropriately designed.

MCC Housing (Affordable Housing) - In support of this application.

There is a high need for affordable housing throughout Monmouthshire, there are currently 2,097 households with a recognised housing need registered on Monmouthshire's Common Housing Register. Of these, 304 would prefer to live in the Monmouth/Wyesham area. The need for one and two bedroom accommodation is a particularly high. There is also a need for accessible accommodation i.e. bungalows.

The preference is for the homes to be neutral tenure, where tenure of housing is not predetermined but can vary according to needs, means and preferences of households to whom it is offered.

Due to the size of this development a mix of tenures would be required, it can be assumed that 70% will be provided as social rent and 30% as intermediate housing.

MCC Environment Health - Further information is required.

The nearest noise sensitive receptors in this development are located both on the proposed development and the existing properties, particularly residential, adjacent to the development.

The applicant therefore must demonstrate that good design principles will be followed to ensure impact from the noise of the ASHPs will be kept to a minimum. Ideally, this should not exceed 35dB at any noise sensitive façade of neighbouring residential premises. (This level of 35dB is at one metre from the relevant building façade, including the contribution from the sound reflecting from that facade). If it can be demonstrated that it is not practical to achieve this value of 35 dB, and the local context supports a relaxation (Taking account of the character of the area, including the prevailing sound level which may influence the extent of the impact caused), then a higher criterion may be suitable. Under those circumstances it is recommended that the reasons for the relaxation are fully set out and justified. Nevertheless, it is recommended that the sound rating level should not exceed 40dB. The applicant should therefore provide details of absolute rating levels proposed from the use of a single ASHP through to the use of all ASHP at all the noise sensitive facades both of properties within the development as well as the nearest noise sensitive facades of neighbouring residential properties.

The applicant should detail what steps will be taken to ensure each ASHP installation meets the noise levels detailed above when operating singularly along with what steps will be taken to minimise the cumulative impact of the multiple ASHPs at noise sensitive receptors detailed above. Such detail should be supported by the calculations used to confirm the predicted levels.

An air quality impact assessment would be required if the development altered the Annual Average Daily Traffic movements by 500 or more. I also advise the Planning Authority to consider all developments in the area that would impact local roads and the A40/Wyebridge Street junction when considering if the 500 AADT threshold is exceeded. Should an Air Quality Impact Assessment be required, the assessment should also consider all the impact of all proposed local developments on local air quality.

A contaminated land condition is requested.

MCC Community Infrastructures - The drainage solution in the two fields above Tudor Road has been installed and completed by the local owner/farmer and, although it has improved the drainage for the residential areas in Tudor Road and the Underwood Estate, it hasn't solved the waterlogging problems on the playing field. Our drainage engineers are working with the owner to install a further drainage solution above the planning application site.

There is considerable surface water run-off from Tudor Road and from the steep slope between Tudor Road and the playing field itself. There is also a Welsh Water drain that runs across the site north to south, which discharges just below the children's play area to the rear of house nos. 40-46 Tudor Road.

A possible solution is to install a deep cut French drain with a perforated pipe along the top length of the playing field and run this down to the side of the playing field so the water discharges in the same place as the Welsh Water drain. Therefore, an off-site financial contribution would improve the situation considerably.

Glamorgan Gwent Archaeological Trust - No objection but the proposal will require archaeological mitigation. The development is of large scale, and in an area of archaeological potential. Therefore, in order to mitigate the impact of the development on the archaeological resource, we recommend that a condition, for a programme of archaeological work, taking the form of an archaeological watching brief during the groundworks. Cadw must be consulted.

MCC Land Drainage/SAB – See below:

Surface Water Drainage

The application has demonstrated a means of surface water discharge through discharge to the DCWW surface water sewer. The details of the drainage system will be reviewed once a SAB application has been submitted.

We would highly recommend the applicant undertake a SAB pre app prior to submitting a full SAB app and any further details, as the SAB requirements could impact the layout and location of the surface water management system.

SAB – From the plans submitted the total construction area is above 100m² (building footprint, yard area, hardstanding and parking bays) if it is then SAB approval will be required prior to any works commencing on site. Please attach the following SAB informative to the decision notice and draw the applicant's attention to this requirement. This does not however subtract from the need for the drainage statement highlighted above.

Flooding

Flood risk maps provided by Natural Resources Wales indicate the site to not be at particular risk of flooding.

Our database of previous flood events shows records of previous flood events on the site and in close proximity to the site.

Our database of drainage and flood assets records that there are drainage and flood assets in close proximity to the site.

The applicant has submitted information to support the likely flow path of the overland flow risk. There are still some outstanding details which we would need to see before we could confirm the proposal.

Therefore a condition is requested on flooding grounds (contained in Section 7 below).

NRW - We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following conditions to any planning permission granted:

Condition: Protected Sites

Condition: Pollution Prevention

Without the inclusion of these conditions we would object to this planning application.

Welsh Water - Dwr Cymru Welsh Water has no objection to the proposed development. The development therefore requires approval of Sustainable Drainage Systems accordance with the 'Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems'.

The proposed development site is located in the catchment of a public sewerage system which drains to Monmouth (Wyesham) Wastewater Treatment Works (WwTW) and ultimately discharges to a river Special Area of Conservation (SAC). We would advise that this WwTW has a phosphorus consent limit of 2 mg/l and is currently compliant with the 95% quartile for its flow passed forward (FPF) performance, at the time of this consultation.

Additionally, we can confirm that there is sufficient biological headroom to accommodate the growth aspirations of the current LDP following works to the WwTW being carried out within our current AMP7 (2020 - 2025) period.

Accordingly, we would advise there is currently suitable hydraulic capacity and biological headroom in the public sewerage system and downstream WwTW to accommodate foul water flows from the development subject of this application.

MCC Biodiversity and Ecology - No objection subject to conditions.

A revised scheme has been submitted to address concerns raised by the biodiversity officer, landscape officer and flood risk management team. The buffer between built development and field boundaries is still less than preferable for protecting boundary features and allowing maintenance of those features. However, the bund and other drainage features have been removed between the houses and northern boundary which will lessen the impact on that boundary. The extended area of the redline boundary will allow for additional screening planting to be provided within the boundary to screen the development from commuting routes used by bats. The extended area will also allow for better access for maintenance of the northern boundary. Access to other site boundaries, which are proposed to be planted with new hedging or supplementary trees will still be difficult and this will need to be addressed in a long-term management plan for the site.

The proposal will connect to the Wyesham Wastewater Treatment Works. NRW Guidance V4 states that where developments connect to a WwTW which has a permit reviewed against revised conservation objectives, there is unlikely to be a significant effect on the SAC if there is capacity in the system.

A Habitat Regulations Assessment is conducted under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended) and is concluded that the project will not adversely affect the integrity of the protected sites, subject to additional mitigation measures, including:

- * A landscape scheme which includes additional screening planting on the northern boundary
- * A Green Infrastructure management plan to secure appropriate long-term management
- * A lighting strategy for bats which demonstrates dark corridors are retained
- * Removed permitted development rights regarding lighting and boundary treatments to protect the integrity of retained field boundaries.

The proposal includes additional planting, proposed artificial nesting opportunities and management of retained grassland areas to provide net benefit for biodiversity. There is also scope to include appropriate planting in rain gardens and suds features.

Evidence of badger foraging activity has been recorded on site, the site may also be used by other small mammals including hedgehog. Nesting birds are present and it is also considered likely that reptiles will be present. Some trees that require removal have low potential for bats. The reports submitted have included appropriate recommendations for safeguarding protected species during construction which should be included in a standalone CEMP, secured with a condition. Appropriate compensation for species affected should be identified in the Green Infrastructure Management Plan.

MCC Building Control - No objection. The report presents a comprehensive site assessment, addressing geology, topography, groundwater, and potential contamination sources. The site is sloping and requires specific consideration for stability and drainage. The lack of significant contamination and the absence of radon or ground gas risks are positive indicators for residential development. The assessment suggests the site is suitable for residential development, provided the noted geotechnical and environmental recommendations are integrated into the design. Compliance with UK Building Regulations will be feasible with attention to foundation design, drainage planning, and post-clearance verification of site conditions.

Cadw - No comment.

South Wales Fire Services - No objection; standard safety advice provided. The proposals should have the principles of the Well-being of Future Generations (Wales) Act 2015 and the Future Wales - the national plan 2040 framework in mind.

MCC Public Rights of Ways - No objection. There appears to be an opportunity to use land held in the same ownership as the site, to link to Wyesham Lane to the southeast of the development. This would also link with the restricted byway and public footpath at this location. Accessibility

beyond the site and connection to key routes such as Offa's Dyke National Path to the northeast, and the Wye Valley Walk to the west are essential connections to make, and I would ask that these needs are considered and delivered as part of this scheme.

MCC Active Travel - Objection. Crossing pedestrians onto the Tudor Road footway is an issue because the current offer of a drop kerb is insufficient; a built-out on Tudor Road (immediately south of the proposed site entrance) would enable pedestrians to cross sufficiently. The corner radius of the proposed site access should be adjusted to increase visibility at the crossing point, as well as decrease the crossing distance for pedestrians. The tactiles at the proposed site should be on the desire line as far as possible.

The arrangement of the footway where it is placed between the parking spaces and carriageway should be moved to between the houses and the parking. Instead of using the proposed garden sheds for bike storage, the scheme should provide communal cycle parking provision (i.e. communal bike hangers) for easy access to bicycles to promote active travel.

Gwent Police - No adverse issue raise; general design principles offered.

Welsh Government (Agricultural Land Classification) - No objection. The site is currently allocated as a Housing Allocation (SAH8 - Tudor Road, Wyesham - 2.05ha) in the adopted Monmouthshire LDP (2014), therefore BMV policy (PPW 3.58 and 3.59) would have been considered for allocations as part of the LDP process.

MCC Landscape and GI – No objection subject to conditions and planning obligation.

5.2 Neighbour Notification

The neighbour objections from 12 households have been summarised below:

This proposal is not within a sustainable location.

It is unreasonable to expect new residents to be able to commute to work by walking or cycling.

There is not sufficient employment within walking/cycling distance.

The proposal will adversely affect the wildlife habitat

The proposal is an encroachment into the open countryside.

The land in question is a Greenbelt land and is bordering an ANOB.

The loss of green space in AONB.

The scheme lacks landscaping details

Additional residential development will exacerbate the flooding situation in this part of Wyesham.

The proposal will cause further congestion problem for local residents.

There is insufficient parking provision proposed to serve the development.

The existing highway network is not able to cope with additional housing.

Pressure on Wye Bridge.

There is a lack of public services in the area to serve an increased population.

A significant increase in volume of all types of vehicle causing excessive congestion and increased air/noise pollution.

The water treatment plants cannot cope with additional drainage discharge from the development.

The proposal will significantly reduce natural drainage in the area, leading to increased surface water run-off.

It is the wrong area for housing.

This is a low-quality housing scheme that will not meet the needs of the community.

Question whether or not there is a need for more housing in the area.

This is an overdevelopment of this site.

An objector mentioned she gathered a petition from the residents of Tudor Road with 66 signatures OBJECTING to this development and 89 signatures OBJECTING to this development from residents of the nearby affected houses.

One comment (neither support or object) received:

No objection to houses as people need homes, but traffic is a concern. There is only one road into this part of Wyesham, and congestion by the shop could in emergencies cause problems to the residents living in the top part of Wyesham.

5.3 Local Member Representations

No response to date.

Please note all representations can be read in full on the Council's website:

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

6.0 EVALUATION

6.1 Principle of Development/Place making

6.1.1 The Monmouthshire Local Development Plan (LDP) and PPW encourage sustainable development and promote making the most efficient use of brownfield land. Tudor Road is one of two urban Sites allocated within the Monmouthshire Local Development Plan (LDP) for residential development to meet the County's housing need. The site is located within the identified settlement boundary of Monmouth, which is designated as one of the Main Towns within the current Monmouthshire Local Development Plan (LDP). It is a sustainable location for a new residential development, as it is located immediately adjacent to an existing housing estate, close to many facilities such as local shop, playing fields and school provision. The site is linked to other parts of Monmouth by a local bus service, including the town centre, which there are bus services linking to the other towns and wider area including other modes of transport such as train stations.

6.1.2 Policy H1 of the LDP says that... 'Development boundaries have been drawn for the Main Towns, Severnside Settlements and Rural Secondary Settlements identified in Policy S1, within which new build residential development / redevelopment or conversion to residential, or subdivision of large dwellings or reuse of accommodation such as upper vacant floors in town centres will be permitted subject to detailed planning considerations and other policies of the LDP that seek to protect existing retail, employment and community uses'. The site is an allocated housing site within the current LDP and is within the Monmouth Town development boundary. Therefore, the principle of the development is established and is policy compliant with the current LDP.

6.2 Good Design/Landscape

6.2.1 The application boundary has been extended to provide new drainage layout to the north of the site is a welcome addition to the scheme and removes the initial concerns relating to the provision of surface water capture close to some of the plots as well as the issue of a proposed outfall from site which is clarified in the engineering layout drawing 1804 100 rev M which indicates all surface water to fall to the west and south of the site with outfall from site via connection to existing culverts in the proximity of no1 Tudor road.

6.2.2 The site layout for some of the plots has been amended to provide more appropriate space between and existing residential boundaries, plot 49/50 in particular. The space has increased with offset retaining walls to retaining built platform, providing an opportunity for new landscaping and additional breathing space within the site.

6.2.3 From the general design perspective, the revised entrance from Tudor Road has improved from the previous version and separated the existing dwellings parking and access from that of the main access to the proposed site. The general layout is broadly acceptable but would require further details to ensure a high quality finish i.e. a full soft landscape planting plan and specification inclusive of establishment, protection and aftercare prescription will be required along with a comprehensive green infrastructure management plan. The applicant has provided plot dwelling site plans and elevations as well as proposed material palettes, streetscenes and height plans. This additional detail will be captured through conditions as proposed.

6.2.4 The scheme now features a broader mix of house material finish with both red brick and white renders as principal finishes with a broad mix through the overall site. The front elevations with brick and white render finish using light grey render to window and door surrounds to provide further contrast. This provides a betterment in place making terms. It is noted that each dwelling roof is indicated as having PV installed subject to design. The Council's Landscape and GI Officer wants to see further clarification in terms of roof location, profile and colour of the proposed PVs. It is proposed that this is addressed through a condition.

6.2.5 The area has a mix of housing types, including bungalows, two-storey detached houses, semi-detached houses, terraced houses and blocks of flats. The bulk of the proposed units is similar to some of the existing surrounding properties. The development's density reflects the scale and density of the surrounding built environment, promoting efficient land use. The scheme primarily comprises 2-storey houses and walk up apartments along with a number of bungalows.

6.2.6 The proposed boundary enclosures will incorporate a mix of close boarded fencing (1.8m high), brick walls (1.8m high), close boarded fence on retaining brick walls (various heights) and vertical metal railings (1.2m high). Given the prominence of the landscape feature fronting Plots 26-36, the use of brick walls along this boundary is considered more aesthetically pleasing than the mixture of close boarded fencing and close boarded fence on retaining brick walls. To ensure this, a planning condition will be imposed to specify the use of brick walls for the boundary enclosures along this particular landscape feature.

6.2.7 The GI strategy is welcome however there is currently insufficient information from a Landscape and GI perspective such as landscape masterplan or more detailed landscape planting plan which reflect LVA and ecology surveys and recommendations. A Landscape / GI management plan for the site will be required to ensure establishment and ongoing management capable of being rolled over annually. This is proposed to be required as a condition of approval should the application progress. Upon reviewing of the updated information the Council's Landscape Officer offers no further objection to the application proposal from a Landscape and GI perspective subject to the provision of robust conditions and the provision of a GI bond (£1500 to contribute to improvements to the local PROW network within a one-mile radius of the site, including GI improvements associated with improved PROW).

6.2.8 Given the above, it is considered that the overall design of the proposed development and the choice of external finishing materials are acceptable. Therefore, the proposal is in accordance with Policy DES1 of the LDP.

6.3 Historic Environment

6.3.1 The site is not located within a conservation area and does not impact any listed buildings. While no formal objection is raised, the development's scale and location within an area of archaeological potential necessitate mitigation measures. To minimize the impact on archaeological resources, we recommend the inclusion of a planning condition requiring an archaeological watching brief during groundworks. This condition should ensure the appropriate engagement of an archaeologist to monitor groundworks and identify and record any archaeological finds.

6.3.2 Cadw, the Welsh Government's historic environment service, was consulted on this matter but did not provide a response. However, it's important to note that the site is designated for housing development within the Local Development Plan (LDP). This designation implies that the site's suitability for housing development was thoroughly assessed, including potential archaeological considerations, during the LDP formulation process.

6.4 Impact on Amenity

6.4.1 The proposed development will undoubtedly alter the visual outlook from neighbouring properties. While some objections have been received from residents opposed to any development on the site, it's crucial to remember that the site is designated for housing within the

adopted Local Development Plan (LDP). This allocation signifies that the principle of residential development on this land has already been established through the rigorous LDP process.

6.4.2 The proposed scheme has been carefully designed to mitigate potential neighbouring impacts. The site layout, unit orientations, and separation distances from neighbouring properties have been considered to minimise disruption to existing neighbours. The site level is higher than those of the neighbouring properties. A new landscaping scheme will be incorporated into the proposal. The majority of new planting will be strategically located along the site boundaries to enhance biodiversity and provide a visual buffer, thereby improving privacy for existing residents.

6.4.3 The separation distances have been closely examined against the adopted Infill Development SPG as some of the proposed units are closer to the existing neighbouring properties than others. As far as the effect of the new dwellings are concerned, the Council's normal privacy standard for new development is that there should be minimum of 21m between directly facing elevations containing main habitable windows (i.e. bedrooms and living rooms). In some cases, this distance may be relaxed i.e. where windows are facing a public highway. There should be at least 15m between principal elevations with main habitable windows and side gable walls, and there should a 10m distance from the first floor rear windows of the proposal to the side boundary of the neighbour.

6.4.5 Along the southern boundary, Plot 3, 4 and 5 are measured between 18m to 20m away from Hammett Court (a block of flats). There is currently a window opening on the first floor northern gable end of Hammett Court that serve a corridor/staircase. Therefore, no overlooking issue is anticipated in this situation. Plot 16 and 17 is approximately 30.5m from Rose Cottage in excess of the distances set out in the guidance. It is the intention of the developer to introduce a soft landscaping scheme along this site boundary to 'soften' the appearance, and to provide additional screening of the proposed units from the neighbouring properties. Turning to the units on the western boundary, the side elevation of Plot 44 is some 11.7m from the side elevation of 63 Tudor Road. Plot 45, 46 and 47 is appropriately 15m from the gable end of 43 Tudor Road. Plot 49 and 50 is measured some 10m from the rear boundary of 19 Tudor Road (25m from the actual property) and 12.9m from the side boundary of 31 Tudor Road. Therefore, the separation distances are in accordance with the adopted SPG.

6.4.6 In order to further protect the amenity of the existing neighbours, it is considered reasonable to remove the permitted development rights for extensions for some of the units along the southern and the western boundary as they are the closest to the neighbouring properties i.e. Plot 1 to 5 and 45 to 50.

6.4.7 In conclusion, while changes to views are inevitable with any new development, the proposed scheme has been designed with careful consideration for neighbouring amenity. The LDP allocation provides the necessary framework for residential development on this site, and the proposed mitigation measures aim to minimise any potential negative impacts on neighbouring properties. Therefore, the proposal complies with Policy EP1 of the LDP.

6.5 Phosphate/Biodiversity

6.5.1 The application site is within the catchment of the River Wye Special Area of Conservation (SAC). This application for the development of 50 dwellings proposes connection of foul water to the mains sewer. Information has been provided by Dwr Cymru Welsh Water (DCWW) to confirm that permit for the associated wastewater treatment works has been reviewed against the revised water quality targets for the SAC. Therefore, there is unlikely to be a significant effect on the SAC if there is capacity in the system. There is no objection from DCWW and NRW to the proposed drainage method. Therefore, no further information is requested in relation to this element of the proposal.

6.5.2 The revised scheme incorporates revisions to address concerns raised by the biodiversity officer, landscape officer, and flood risk management team. While a larger buffer between the development and field boundaries would be preferable for optimal protection and maintenance of boundary features, the removal of the bund and other drainage features between the houses and

the northern boundary from the earlier version will mitigate some impacts. The extended development area (the land to the north of the site) will facilitate the provision of additional screening planting along the boundary to minimise visual intrusion to the open countryside and would provide natural buffer for commuting routes used by bats. The inclusion of this additional parcel of land will also improve access for maintenance of the northern boundary. However, access for maintenance of other site boundaries, which are proposed to be planted with new hedging or supplementary trees, will remain challenging. A long-term management plan will be required to address these access limitations which is proposed to be secured via a condition.

6.5.3 The site lies within the 3km Core Sustainance Zone for greater horseshoe bats at Newton Court SSSI and the 2km Core Sustainance Zone for lesser horseshoe bats at Penallt Church SSSI. Furthermore, it is located less than 500m from a woodland protected by the Wye Valley Woodlands SAC. Given the site's proximity to protected areas and its demonstrated use by greater and lesser horseshoe bats, likely linked to roosts within the Wye Valley and Forest of Dean Bat Sites SAC and the Wye Valley Woodlands SAC, a Habitat Regulations Assessment (HRA) under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) has been undertaken. The HRA concludes that the project will not adversely affect the integrity of the protected sites, provided the following mitigation measures are implemented, such as a landscaping scheme, a Green Infrastructure Management Plan, a bat-friendly lighting strategy and the removal of Permitted Development Rights relating to new external lighting and boundary treatments to protect the integrity of retained field boundaries. These mitigation measures must be secured through appropriately worded planning conditions and subsequently enforced and monitored. It is important to note that this assessment applies equally to the interest features of the relevant SSSIs. The Appropriate Assessment (appended to this report) has been submitted to NRW for final endorsement. Therefore, provided that no issue is identified by NRW, the application should be supported.

6.5.4 In terms of biodiversity net gain enhancement, the proposal includes additional planting, proposed artificial nesting opportunities and management of retained grassland areas to provide net benefit for biodiversity. There is also scope to include appropriate planting in rain gardens and suds features; a plan of ecological enhancements should be included in the Green Infrastructure Management Plan to demonstrate how net benefit will be achieved. To ensure establishment and longevity of features provided for net benefit for biodiversity, a long-term management plan will be required that identifies the features to be managed, trends and constraints to management and provides a maintenance schedule capable of being rolled forward for the life time of the development. The long-term management should be detailed in a Green Infrastructure Management Plan (or Landscape and Ecology Management Plan)

6.5.5 The Council's Biodiversity and Ecology Officer highlighted that badger foraging activity has been recorded on site, and the site may also support other small mammals, including hedgehogs. Nesting birds are present, and the presence of reptiles is considered likely. Some trees identified for removal have low potential for bat roosts. The submitted ecological appraisal includes appropriate recommendations for safeguarding protected species during construction and advised that these recommendations should be incorporated into a standalone Construction Environment Management Plan (CEMP) secured through a planning condition. Appropriate compensation measures for affected species should be identified and detailed within the Green Infrastructure Management Plan.

6.5.6 Given the above, there is no objection to this element, and appropriately worded conditions are proposed in line with the officers requirements to manage the biodiversity and ecological matters of the proposal. The proposal is in accordance with Policy NE1 of the LDP.

6.6 Highways/Parking

6.6.1 PPW12 refers to the Sustainable Transport Hierarchy where walking and cycling are the highest priority and public transport second with private motor vehicles being the least desirable. In this case, the site is located within the town development boundary of Monmouth, where there is a comprehensive range of retail and service facilities. Tudor Road is an allocated urban site for housing development as defined within the adopted LDP. Monmouth Town Centre is reachable by

public transport, and for those who choose to walk and/or cycle. There is a bus stop in the town centre with services connecting to other parts of the county and neighbouring towns. The site is in a sustainable location so that the occupiers of these dwellings will be less reliant on the car to go about their daily business.

6.6.2 The Council's Highways Department raise no objection to the latest revised scheme. They advised that the site remains part of the LDP housing site and is supported by a Traffic Assessment showing that the local highway network is capable of absorbing the impact in terms of volume and safety as noted in our earlier comments.

6.6.3 In terms of the main access of the site, the latest scheme incorporates design amendments to address previous access concerns. The site now features an independent access to the development and a redevelopment of the existing spur to serve the existing properties off the current access point (7, 9, 11, 13, 15, 17 and 19 Tudor Road). This amended design overcomes the initial concerns regarding the placement of the remaining private parking bay and the related footway widths. It is noted that the existing access is to be upgraded with footway provision and therefore will create both a speed awareness strip, and separate the spur road by way of design from the main road. The new access for the development is to be supported by 2m footways on both sides with additional crossing infrastructure to support pedestrians. The displaced parking provision has been relocated to the new access area. Therefore, there is no objection to this element.

6.6.4 As for the proposed internal layout, the footways have been appropriately increased in width where there is development along both sides in line with the required standards. In particular, Road 3 has been amended to address the initial concerns which is now 5.5m in width and features a service strip between the private parking elements and the carriageway/shared surface so as to delineate the edge of the public highway. Road 1 features suitable levels of horizontal deflection and material changes to encourage slower travel speeds, as per design standards. However, they would recommend the introduction of a method of delineation between the carriageway and parking bays of number 15-19, such as a marginal strip. These details should be further considered during the Section 278 application process, which allows developers to enter into a legal agreement with the council for highway alterations or improvements.

6.6.5 The Council's Highways Department advised that all properties now have appropriate levels of parking provision and there is suitable space within the design for on-street parking of visitors. All parking bays are located in suitable locations and appropriately designed.

6.6.6 Further discussion took place with the Council's Highways Department with regard to the concerns/objections raised by the Council's Active Travel Department. The Council's Highways Department advised that the review of the accident data available for the highway network providing access to the proposed development has not identified any particular highway safety issues and no off-site highway mitigation to facilitate the development.

6.6.7 It is acknowledged that there would be an increase in overall vehicle movements from the proposed development but it is considered that the existing junctions and local highway network will continue to operate within capacity and the traffic impact would be negligible and would not be detrimental to the overall safety and capacity on the local highway network. In addition, Tudor Road is a 'no through' road. Therefore, the movement of traffic beyond the site is likely to be similar to the current situation. Furthermore, the proposed access is in accordance with current design standards for estate access roads. Therefore, from the highway safety perspective, the latest access arrangement, internal layout and road/parking arrangements are acceptable and are safe for both crossing pedestrians and car users.

6.6.8 The detailed design of the highway, including the details of the drop kerbs and tactile locations, would be considered and assessed separately under the Section 278 application.

6.6.9 There is no highway concern over the use of communal bike hangers for the storage of personal bicycles, as long as they do not adversely affect the safety operation of the highway network. This aspect was further explored with the developer. They considered that the proposed

garden sheds would provide effective security and control/management for storing personal belongings, which is compliance with the WDQR. Therefore, from the security point of view, they wish to maintain the scheme as it is. The concept of communal bike hangers is considered positive, as it could potentially increase bicycle usage by enhancing accessibility. However, from a planning perspective, their inclusion is not mandatory. Therefore, there is no substantive reason to refuse this application based on this element.

6.6.10 Given the above, the proposal is acceptable (with conditions) and is in accordance with Policy MV1 of the LDP.

6.7 Affordable Housing

6.7.1 A stable and thriving community depends on a diverse housing market. This 100% affordable housing scheme would assist a range of people, including those on lower incomes, have access to quality and affordable housing within the community, contributing to a more balanced and sustainable community. Affordable housing enables key workers, such as teachers, nurses, and emergency service personnel, to live and work within the community they serve. This helps to maintain essential services and strengthens the local workforce.

6.7.2 The Council's Affordable Housing Officer advised that there is a high need for affordable housing throughout Monmouthshire, there are currently 2,097 households with a recognised housing need registered on Monmouthshire's Common Housing Register. Of these, 304 would prefer to live in the Monmouth/Wyesham area. The need for one and two bedroom accommodation is a particularly high. There is also a need for accessible accommodation i.e. bungalows. In addition, based on the size of this development, a mix of tenures would be required, it can be assumed that 70% will be provided as social rent and 30% as intermediate housing.

6.7.3 Monmouth, like many communities, face significant housing shortages. A 100% affordable housing scheme would alleviate this issue by providing much-needed homes for local residents who may be struggling to find suitable and affordable accommodation within the area. This application features a range of housing mix to cater for the housing need for the Monmouth area, and they are all designed to comply with the Welsh Development Quality Requirements (WDQR), which are a set of minimum quality standards for new and rehabilitated general needs affordable homes in Wales. It is considered that this 100 affordable housing scheme is a positive step to provide much needed housing shortage in the area. Therefore, this application is supported accordingly. Ensure that the units remain affordable, it is crucial to secure it through an Unilateral Undertaking or Section 106 Agreement. Therefore, this element is in compliance with Policy S4 of the LDP.

6.8 Flooding

6.8.1 NRW raises no flood issue. Therefore, no further information is requested.

6.9 Foul Drainage

6.9.1 The site is within the nutrient sensitive catchment for the River Wye SAC. The proposal will connect to the Wyesham Wastewater Treatment Works. NRW Guidance V4 states that where developments connect to a WwTW which has a permit reviewed against revised conservation objectives. It is intended to drain foul water to the public sewer to which Welsh Water offer no objection in principle. Therefore, there is unlikely to be a significant effect on the SAC so there is capacity in the system. They requested that a condition to be imposed to prevent surface water and/or land drainage to connect directly or indirectly with the public sewerage network. This condition request is reasonable.

6.10 Surface Water Drainage

6.10.1. The surface water will be disposed of via sustainable means which is the correct policy approach. However, there is a concern over the excessive surface water downstreaming from the land to the north of the site. It is noted that as part of the latest submission, a new surface

drainage scheme is being included to the north of the site to capture surface water coming from the fields to the north of the site. It is specifically designed to alleviate the excessive surface water flooding situation. The developer has submitted a separate pre-application enquiry for SAB, which is running in conjunction with this planning application, so that the finer details for the surface water drainage scheme are assessed by the Council's Drainage Officers for adoption. In addition, appropriately worded conditions will be imposed to ensure an effective scheme is in place prior to the commencement of the development.

6.11 Surface Water Drainage - Off-site financial contribution

6.11.2 The Council's Community Infrastructures highlighted that there is considerable surface water run-off from the fields north of the site towards Tudor Road and the nearby playing field. A possible solution is to install a deep cut French drain with a perforated pipe along the top length of the playing field and run this down to the side of the playing field so the water discharges in the same place as the Welsh Water drain. Therefore, an off-site financial contribution would improve the situation considerably. The developer has agreed to provide a financial contribution to facilitate such work to improve the situation for the local residents.

6.12 Environmental Health

6.12.1 The Council's Environmental Health Department advised that the applicant therefore must demonstrate that good design principles will be followed to ensure impact from the noise of the ASHPs will be kept to a minimum. Ideally, this should not exceed 35dB at any noise sensitive façade of neighbouring residential premises. If it can be demonstrated that it is not practical to achieve this value of 35 dB, and the local context supports a relaxation (Taking account of the character of the area, including the prevailing sound level which may influence the extent of the impact caused), then a higher criterion may be suitable. Under those circumstances it is recommended that the reasons for the relaxation are fully set out and justified. Nevertheless, it is recommended that the sound rating level should not exceed 40dB.

The officer had requested that absolute rating levels for the ASHP are provided to ensure that the proposed ASHPs shall comply with the MCS Planning Standards or equivalent standards. The MCS Planning Standards (MCS 020) are a set of guidelines specifically for permitted development installations of wind turbines and air source heat pumps on domestic premises. Given the stage of the process, the technical details of the manufacturers are unknown, however in order to ensure that the development complies with the MCS Standards it is recommended that an appropriately worded condition will be imposed to manage this aspect, ensuring that all ASHPs are compliance with the MCS Planning Standards or equivalent standards at the point of installation.

6.12.2 An air quality impact assessment would be required if the development altered the Annual Average Daily Traffic movements by 500 or more. However the officer has reviewed the submitted information and the AADT is below this threshold. Therefore, no further information is requested.

6.12.3 Contaminated land conditions are also requested to ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed, which is a reasonable request. Such conditions will be imposed accordingly.

6.13 Renewable Energy

6.13.1 The Council is committed to reducing the demand for and hence use of energy in new developments. The use of renewable energy technologies should be explored as part of development proposals, which would allow for certain amounts of energy supply to be provided for the site from renewable sources. All of the properties will have air Source Heat Pumps installed each and solar panels are being proposed to comply with Policy SD1 of the LDP.

6.14 Response to the Representations of Third Parties and/or Community Council

6.14.1 There are objections from local residents that the site is a wrong area for housing as it is not within a sustainable location for further housing development because there isn't sufficient employment and services within close proximity of the site, and that it is unreasonable to expect new residents to commute to work by walking or cycling.

LPA response: The site is located within the Monmouth Town Development Boundary. Monmouth is a main town as defined within the adopted LDP, which is one of the most sustainable settlements in the county. Policy S1 of the LDP advise that the main focus for new housing development is within or adjoining the Main Towns of Abergavenny, Chepstow and Monmouth. In addition, the development site is an allocated site for residential development within the LDP. Therefore, the principle for residential development had already been established at the LDP process; this application is the product of such process. Public transport is available to connect Wyesham and Monmouth Town Centre and the wider parts of the county. There is a range of shop, public services in town the area to serve an increased population. There is a bus station in Monmouth Town Centre that provide services to other nearby towns and cities. There is a range of employment available within Monmouth, such as jobs in and around town centre and the Wonastow Industrial Estate.

6.14.2 There are third party concerns that the proposal will adversely affect the wildlife habitat on and surrounding the site.

LPA response: This aspect was fully assessed by NRW and the Council's Biodiversity and Ecology Officer. A (Habitable Regulations Assessment) HRA was carried out. The HRA concludes that the project will not adversely affect the integrity of the protected sites, provided the following mitigation measures are implemented, such as a landscaping scheme, a Green Infrastructure Management Plan, a bat-friendly lighting strategy and the removal of Permitted Development Right relating to new external lighting and boundary treatments to protect the integrity of retained field boundaries. These mitigation measures must be secured through appropriately worded planning conditions and subsequently enforced and monitored. It is important to note that this assessment applies equally to the interest features of the relevant SSSIs.

6.14.3 Some of the local residents are concerned that the proposal lacks landscaping information and is an encroachment into the open countryside, which is a greenbelt land and is an ANOB.

LPA response: The site is not in the open countryside nor is an AONB; it is within the Monmouth Town Development Boundary and is adjoining to the open countryside, which is within the AONB. Monmouth is a main town as defined within the adopted LDP, which is one of the most sustainable settlements in the county. Policy S1 of the LDP advise that the main focus for new housing development is within or adjoining the Main Towns of Abergavenny, Chepstow and Monmouth. In addition, the development site is an allocated site for residential development within the LDP. This application was considered by the Council's Landscape and GI Officer and was concluded that, subject to conditions, the proposal is acceptable from the Landscape and Green Infrastructure perspective.

6.14.4 The Monmouth Town Council along with some local residents are concerned that additional residential development on the site will exacerbate the flooding situation in this part of Wyesham i.e. due to excessive water run-off from the Kymin. It is noted that the proposal comprises an on-site drainage scheme. However, it is not clear how the water run-off from the Kymin will be dealt with to prevent flooding issues.

LPA response: It is acknowledged that there are recent incidents when there is a heavy rainfall, the area below the site do experience excessive surface water downstreaming from the land to the north of the site. As part of the latest submission, a new surface drainage scheme is being included to the north of the site to capture surface water coming from the fields to the north of the site. This scheme is specifically designed to alleviate the excessive surface water flooding situation. The developer has submitted a separate pre-application enquiry for SAB, which is running in conjunction with this planning application, so that the finer details for the surface water drainage scheme are assessed by the Council's Drainage Officers for adoption. The concept of the proposed drainage scheme is to channel surface water to the SuDS features within the site and to the Welsh Water network. There is no objection from NRW and Welsh Water regarding to the proposed surface water and foul drainage arrangement. As well as a SAB application, the

developer needs to enter a further application with Welsh Water, ensuring the scheme is acceptable prior to connection.

6.14.5 The highway impact is one of the key concerns for local residents as they considered that the existing highway network is not capable to cope with additional housing (and adding further pressure on Wye Bridge). So, the proposal will likely to cause further congestion problem for them. In addition, they are concerned that there is insufficient parking provision proposed to serve the development.

LPA response: The Council's Highways Department raise no objection to the latest revised scheme. They advised that the site remains part of the LDP housing site and is supported by a Traffic Assessment showing that the local highway network is capable of absorbing the impact in terms of volume and safety as noted in our earlier comments. The internal layout was assessed and there is sufficient parking provision to serve the development, including visitors. Therefore, it is acceptable from the Highways perspective.

6.14.6 Some local residents have environmental (noise and air pollution) concerns of the proposal due to a significant increase in volume of all types of vehicle causing excessive congestion.

LPA response: No environmental objection is raised from NRW, the Council's Environmental Health Department and Highways Department. The Council's Environmental Health Department want to see good design principles followed to ensure impact from the noise of the ASHPs will be kept to a minimum, and this element can be managed via appropriately worded condition. An air quality impact assessment would be required if the development altered the Annual Average Daily Traffic movements by 500 or more. Having reviewed the submitted information, the AADT is below this threshold. Therefore, no further information is requested. In addition, further land contamination conditions will be imposed to ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

6.14.7 Some local residents questioned whether or not there is an actual need for more housing in the area, and that the scheme being proposed is of a low-quality housing scheme that will not meet the needs of the community.

LPA response: Both the Council's Housing Officer (Affordable Housing) and Monmouthshire Housing Association have confirmed there is a demand for affordable housing in the area, and these units are designed to comply with the WDQR, which are a set of minimum quality standards for new and rehabilitated general needs affordable homes in Wales.

6.14.8 This is an overdevelopment of this site.

LPA response: The scale of the development is informed by the surrounding residential context and the density of the development has referenced the scale and density of the surrounding built environment. This application is designed to represent an efficient use of land, which is promoted in the LDP as the as the National policies (PPW12 and Future Wales).

7.0 RECOMMENDATION: APPROVE

Subject to a S106 requiring the following:

- To ensure that all resulting residential units remain as Affordable Housing Units.
- £1500 to contribute to improvements to the local PROW network within a one-mile radius of the site, including GI improvements associated with improved PROW.
- Off site drainage scheme at nearby playing fields.
- No development shall commence until the applicant has entered into a Section 278 agreement, pursuant to the Highways Act 1980 with the Council for the works associated with the re-engineering of the existing access onto Tudor Road including footways and footway pedestrian crossings.

5 YEARS

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

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

APPROVED PLANS

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

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

HISTORIC ENV MITIGATION

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

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

STREET PHASING

4 No development shall commence 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.

REASON: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highway's infrastructure serving the development and to safeguard the visual amenities of the locality and users of the highway.

MAINT OF STREETS

5 No development shall commence 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].

REASON: To ensure that the estate streets serving the development are completed and thereafter managed and maintained to an acceptable standard in the interest of residential / highway safety.

BOUNDARY TREATMENTS

6 Notwithstanding there hereby approved Proposed Enclosures Layout ref: 103 Rev E, Prior to the erection of any means of enclosures on site, Plots 26-36 shall have a brick faced boundary walls. Full details of the walls shall be submitted to and approved in writing. The development shall be carried out in accordance with the approved details and remain as such in perpetuity. Full details of the proposed finish to the remaining close boarded fence shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of visual amenity and in compliance with LDP Policy DES1

ASHP

7 Notwithstanding the plans hereby approved all air source heat pumps shall comply with the MCS Planning Standards or equivalent standards.

REASON: To satisfactorily protect the residential amenities of occupiers of the hereby approved development and the nearby occupiers. To comply with Policy EP1 of the LDP.

CTMP

8 Prior to the commencement of development, to include demolition, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, air quality*, vibration, dust** and waste disposal resulting from the site preparation, groundwork and construction phases of the development and manage Heavy Goods Vehicle (HGV) access to the site. Measures to minimise the impact on air quality should include HGV routes avoiding Air Quality Management Areas and avoid vehicle idling. The approved Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

* The Institute of Air Quality Management

** The applicant should have regard to BRE guide 'Control of Dust from Construction and Demolition, February 2003

REASON: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

CEMP

9 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 include the following:

- o Construction methods: details of materials, how waste generated will be managed.
- o General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, mixing and washing areas) and any watercourse or surface drain.
- o Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
- o Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use.
- o Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- o Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details

The CEMP shall be implemented as approved during the site preparation and construction phases of the development. The approved CEMP shall be adhered to and implemented throughout the site preparation and construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction. To safeguard habitats and species protected under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), and Environment (Wales) Act 2016.

LANDSCAPING DETAILS

10 Prior to the commencement of development works full and comprehensive details of soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- o Detailed scaled plans, showing existing and proposed levels inclusive of proposed cross section.
- o Proposed and existing utilities/services above and below ground.
- o Soft landscape details for landscaping to include planting plans, specifications including species, size, density, number and location, cultivation and other operations associated with planting and seeding establishment, inclusive of SUDS green engineering and rainwater gardens.
- o Hard landscape materials to include surfacing, SUDs, location of proposed lighting, fencing, gates, minor artefacts and structures (e.g. signs, bins, stores).
- o Lighting strategy

REASON: In the interests of visual and landscape amenity; in accordance with Policies DES1 & LC1/5 of the Local Development Plan. And to safeguard foraging and commuting routes used by species protected by Conservation of Habitats and Species Regulations 2017.

LANDSCAPE MAINT

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

REASON: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features.

LANDSCAPING COMPLIANCE

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

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

GI MANAGEMENT PLAN

13 An appropriately scaled Green Infrastructure Management Plan shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of development works. The content of the Management Plan as a standalone document shall include the following;

- a) Description and evaluation of Green Infrastructure assets to be identified, protected and managed in the GI management plan.
 - a. Boundary buffers including woodland, hedge and copse
 - b. Green corridors including those within the site
 - c. Grassland areas including mown grass, wildflower areas and understorey interfaces
 - d. Water bodies to include swales and rain gardens
- b) Opportunities for enhancement to be incorporated
 - a. Management of treed and planted boundaries for GI and biodiversity including interfaces with GI corridors connection the wider landscape
 - b. Maintain habitat connectivity through the site for species
 - c. Assessment of any ash die back, opportunities for replacement planting and a programme for implementation
- c) Trends and constraints on site that might influence management of above features.
- d) Aims and objectives of management.
- e) Appropriate management options for achieving aims and objectives.
- f) Prescriptions for management actions.
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty-year period).
- h) Details of the body or organization responsible for implementation of the plan.
- i) 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 as appropriate. 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 will be implemented in accordance with the approved details.

REASON: To maintain and enhance Green Infrastructure Assets in accordance with LDP policies, DES1, S13, GI1, NE1,. (Legislative background – Well Being of Future Generations Act 2015, Planning (Wales) Act 2015 Environment (Wales) Act 2016)

LIGHTING BIODIVERSITY

14 Prior to the commencement of the development, a "lighting design strategy for biodiversity" for the development shall be submitted to and approved in writing by the local planning authority. The strategy shall at minimum:

- a) Identify areas/features on site that are sensitive for bats and must remain unlit
- b) Provide details of lighting type, position and specification, including use of cowls and appropriate light wave lengths, including light spillage in sensitive areas
- c) Provide drawings showing lux levels on horizontal and vertical planes, demonstrating that dark corridors will be retained.
- d) include details of lighting to be used both during construction and operation. The lighting shall be installed and retained as approved during construction and operation.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. 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 other than approved under this permission shall be installed within the curtilage of the development without prior written approval of the Local Planning Authority.

REASON: To safeguard foraging and commuting routes used by light sensitive species in accordance with Environment (Wales) Act 2016 and Conservation of Habitats and Species Regulations 2017.

PD RIGHTS BOUNDARY ENCLOSURES

15 Notwithstanding the provisions of Article 3, Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development)(Amendment)(Wales) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no gate, fence, wall or other means of enclosure other than any approved under this permission shall be erected or placed without the prior written approval of the Local Planning Authority.

REASON: To safeguard commuting and foraging routes in accordance with Conservation of Habitats and Species Regulations 2017.

LEMP

16 No development shall commence until a Landscape Ecological Management Plan (LEMP) for the provision, management and maintenance of the landscape and ecological features at the site has been submitted to and approved by the Local Planning Authority. The LEMP should include:

- o Details of habitats, landscape, environmental and ecological features present or to be created at the site.
- o Details of the desired conditions of features (present and to be created) at the site.
- o Details of scheduling and timings of activities.
- o Details of short and long-term management, monitoring and maintenance of new and existing landscape, environmental and ecological features at the site to deliver and maintain the desired condition.
- o Details of monitoring of landscape and ecological features.
- o Details of replacement measures should any landscape or environmental features die, be removed or become seriously damaged or diseased within years of completion of development.

- o Details of management and maintenance responsibilities.
- o Details of timescales, length of plan, the method to review and update plans (informed by monitoring) at specific intervals as agreed The LEMP shall be carried out in accordance with the approved details.

REASON: A LEMP should be submitted to ensure necessary landscape and environmental management measures are agreed prior to commencement and implemented to ensure the site's landscape and environmental features are adequately managed long term for protected species.

SURFACE WATER AGREEMENT

17 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network unless otherwise agreed in writing by the Local Planning Authority

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

SITE INVESTIGATION POST DEMOLITION

18 No part of the development hereby permitted shall commence until:

- a) An appropriate intrusive site investigation shall be undertaken following demolition of buildings for areas of the site unable to be originally assessed due to lack of access.
- b) A Site Investigation Report to BS 10175:2011+A2:2017 (Investigation of potentially contaminated sites. Code of practice), containing the results of any intrusive investigation, shall be submitted, and approved in writing by the Local Planning Authority.
- c) Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, a Remediation Strategy, including Method statement and full Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority.

No part of the development hereby permitted shall be occupied until:

- d) Following remediation, a Completion/Validation Report, confirming the remediation has been carried out in accordance with the approved details, shall be submitted to, and approved in writing by, the Local Planning Authority.
- e) Any additional or unforeseen contamination encountered during the development shall be notified to the Local Planning Authority as soon as is practicable. Suitable revision of the remediation strategy shall be submitted to and approved in writing by the Local Planning Authority and the revised strategy shall be fully implemented prior to further works continuing.

REASON: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

IMPORTED SOIL

19 Prior to import to site, soil material or aggregate used as clean fill or capping material, shall be chemically tested to demonstrate that it meets the relevant screening requirements for the proposed end use. This information shall be submitted to and approved in writing by the Local Authority (prior to importing materials on site?). No other fill material shall be imported onto the site.

REASON: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

PV DETAILS

20 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority the details of the proposed solar PV, which shall include the location, profile, design and colour. The development shall be carried out in accordance with the approved details and they shall remain as such in perpetuity.

REASON: To safeguard the landscape amenities of the area and to ensure compliance with LDP Policy G11.

FLOOD ALLEVIATION DETAILS

21. No site clearance or construction work shall commence until the detailed design of flood alleviation measures to protect the site has been submitted to and approved in writing by the Local Planning Authority. The flood alleviation measures must protect the development from surface water flows from higher land to the north-east. The flood alleviation measures must not place other dwellings and infrastructure at increased flood risk. The detailed design of the flood alleviation measure shall include the following:

- a) Detailed cross sections, long section and plan drawings showing the construction details for the cut off ditch feature including planting specifications, materials used, erosion protection measures and maintenance plan.
- b) Details of the consequences of blockage/failure at the outfall from the cut off ditch. These consequences must not include internal flooding of dwellings on or off the site.

If it is proposed that surface water will leave the site into a different system than the system already specified, **or if** those flows are to leave the site at an increased rate or volume, the applicant must undertake a detailed investigation of the downstream system (from site to River Wye) including CCTV survey and possibly intrusive survey. Following this investigation flow modelling must be used to confirm that properties and infrastructure are not placed at increased flood risk by the development.

The development shall be carried out in accordance with the approved details and retained as such in perpetuity.

REASON: To protect the development from known surface water flows.

TREE SURVEY

22 Prior to works commencing an updated comprehensive tree survey to BS 5837:2012 (Trees in relation to design, demolition and construction to provide further guidance on tree protection) will be required to include:-

- A Tree Retention/Removal Plan
- Plan of retained trees and their root protection areas (RPAs) shown on the proposed layout.
- An Arboricultural Impact Assessment.
- An Arboricultural Method Statement where construction activity within the RPA of any retained tree is unavoidable.
- The appointment of an Arboricultural Clerk of Works to maintain a watching brief on trees at the site for the duration of the development.

Reason: In the interests of visual and landscape amenity; in accordance with Policies DES1 & LC1/5, NE1 of the Local Development Plan

DETAILS OF EARTHWORKS / MOUNDING / CONTOURING

23 Before any works commence on site, details of earthworks 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.

Reason: To ensure the provision afforded by appropriate landscape design and Green Infrastructure LC5, DES 1 S13, and GI 1 and NE1

INFORMATIVES

1 Heneb Glamorgan Gwent Archaeology Advisory:

The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), CIfA regulations, standards and guidance/Chartered Institute for Archaeologists and it is recommended that it is carried out either by a CIfA Registered Organisation or a Heneb yw'r enw MCIfA level accredited Member.

If you have any questions or require further advice on this matter please do not hesitate to contact us.

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

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

4 NRW Informative:

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

5 DCWW Advisory Notes:

The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com.

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption.

In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Monmouthshire County Council as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features.

Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrwymru.com

Please quote our reference number in all communications and correspondence.

6 NESTING BIRDS - Please note that all birds are protected by the Wildlife and Countryside Act 1981 (as amended). The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most bird species is between March and September.

BS 5837:2012 Trees in relation to design, demolition and construction to provide further guidance on tree protection Policy NE1 - Nature Conservation and Development seeks to ensure the protection and enhancement of wildlife and landscape resources by appropriate building design, site layouts, landscaping techniques and choice of plant species.

Planning Policy Wales - Net Benefit for Biodiversity Planning Policy Wales (PPW) 12 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity". This policy and subsequent policies in Chapter 6 of PPW 12 respond to the Section 6 Duty of the Environment (Wales) Act 2016.



Habitat Regulations Assessment Record

| | | | |
|--------------------------------------|--------------------|--------------|-------------------------------|
| Name of relevant MCC Officer: | Sali Palmer | Date: | 14 th January 2025 |
|--------------------------------------|--------------------|--------------|-------------------------------|

1. INTRODUCTION

This is a record of the Habitats Regulations Assessment of the proposal outlined below, undertaken by Monmouthshire County Council as the Competent Authority. This assessment is required by Regulations 63 of Conservation of Habitats and Species Regulations 2017 (as amended) before the Council as the 'Competent Authority' under the Regulations can give consent for the proposal.

2. INFORMATION ABOUT THE PROJECT

| | |
|---|---|
| 2.1 Type of activity: | Planning Permission; Major Dwelling |
| 2.2 National Grid reference: | SO521122 |
| 2.3 Site reference: | DM/2024/00557 Land at Tudor Road |
| 2.4 Brief description of the project | Proposed development of 50 affordable dwellings, sustainable drainage proposals, landscape planting, car parking and associated works |

3. INFORMATION ABOUT THE EUROPEAN AND RAMSAR SITES

| | |
|--|---|
| 3.1 European site name(s) and status: | <p>Site(s) to be taken forward:</p> <ol style="list-style-type: none">River Wye SAC; The proposal is within the nutrient sensitive catchment for the River Wye SAC.Wye Valley and Forest of Dean Bat Sites SAC; The proposal is within the 2km core sustenance zone for lesser horseshoes at Penallt Old Church SSSI and 3km core sustenance zone for greater horseshoe bats at Newton Court Stable Block SSSI, both component roost of the Wye Valley and Forest of Dean Bat Sites SAC. Both lesser horseshoe bats and greater horseshoe bats have been recorded using the site.Wye Valley Woodlands SAC; The proposal is less than 400m from Harper's Grove – Lord's Grove SSSI woodland and less than 600m from Fiddler's Elbow SSSI woodland, both component woodlands of Wye Valley Woodland SAC. Lesser horseshoe bats are an interest feature of the SAC, and have been recorded using the site. <p>Other sites are ruled out due to distance and scale of the proposal</p> |
|--|---|

3.2 Site description

(reasons for designation, key ecological characteristics, information available on general ecological trends and current issues or sensitivities)

3.2.1 River Wye SAC

Description

The River Wye SAC is primarily designated for being a largely unmodified river. It has a geologically mixed catchment, including shales and sandstones, and shows a clear transition between its upland reaches, with characteristic bryophyte-dominated vegetation, and the lower reaches, with extensive *Ranunculus* beds. The river channel includes gorges and significant areas of associated woodland.

The proposal is within the nutrient sensitive catchment and will connect to the Wyesham WwTW which discharges to the River Wye in Management Unit 1802, Lower Wye Wyastone to Redbrook.

Reasons for designation and feature type in Management Unit

| Code | Common Name | Status | Feature Type |
|--|--|-------------------------------|--------------|
| Annex I habitats that are present as a primary reason for selection | | | |
| 3260 | Water courses to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation | Unfavourable: Unclassified | Key Habitat |
| Annex I habitats that are present as a qualifying feature, but not a primary reason for selection | | | |
| 7140 | Quaking bogs | | Absent |
| Annex II species that are a primary reason for selection | | | |
| 1095 | Sea lamprey <i>Petromyzon marinus</i> | Unfavourable: Unclassified | Key Species |
| 1096 | Brook lamprey <i>Lampetra planeri</i> | Unfavourable | Sympathetic |
| 1099 | River Lamprey <i>Lampetra fluviatilis</i> | Favourable | Sympathetic |
| 1103 | Twaite shad <i>Alosa fallax</i> | Unfavourable: Unclassified | Key Species |
| 1106 | Atlantic salmon <i>Salmo salar</i> | Unfavourable: Unclassified | Sympathetic |
| 1163 | Bullhead <i>Cottus gobio</i> | Unfavourable: Unclassified | Sympathetic |
| 1355 | European otter <i>Lutra lutra</i> | Favourable | Key Species |

| | | | |
|--|--|-------------------------------|-------------|
| 1092 | White-clawed crayfish <i>Austropotamobius pallipes</i> | Unfavourable | Absent |
| Annex II species that are present as a qualifying feature, but not a primary reason for selection | | | |
| 1102 | Allis shad <i>Alosa alosa</i> | Unfavourable: Unclassified | Sympathetic |

Vulnerability (from JNCC - Natura 2000 Standard Data Form)

The River Wye is an excellent habitat for six Annex II freshwater fish. There are some concerns over long-term aquatic and riparian habitat degradation to be addressed in the Wye Catchment Management Plan, the Conservation Strategy, the River SSSI Management Plan, and by NRW encouraging owners and occupiers to carry out positive habitat management through agreements and agri-environment schemes.

Current issues for the River Wye SAC relevant to this HRA: Following changes to monitoring guidance, NRW reviewed the conservation objectives for all river SACs in Wales and substantially tightened targets for nutrient levels. Compliance data shows the Wye to be in poor condition with respect to phosphorus targets, with widespread failures often of large magnitude. Phosphorus concentrations in the river are also relatively high in absolute terms. Ammonia targets in the Wye are not breached.

Under the Habitats Regulations, Planning Authorities must consider the nutrient impact of proposed developments on water quality within SAC river catchments. Any development within the SAC catchment must be screened for Test of Likely Significant Effect (TOLSE).

3.2.1 Wye Valley and Forest of Dean Bat Sites SAC

Description

Wye Valley and Forest of Dean Bat Sites SAC is a cross Welsh/English border SAC, made up of 13 SSSIs, four of which are in Wales. Llangovan Church, Mwyngloddfa Mynydd-bach, Newton Court Stable Block and Wye Valley Lesser Horseshoe Bats SSSIs. Wye Valley Lesser Horseshoe Bats SSSI comprises four separate summer bat roosts, consisting of Penallt Old Church, The Priory at Llandogo, Itton Court Stud and Tregeiriog Farm. The Wye Valley and Forest of Dean Sites include 26% of the UK population of lesser horseshoe bats and 6% of the UK population of greater horseshoe bats.

The proposed development is located approximately 1.4km north of Penallt Old Church and approximately 2km south of Newton Court Stable Block SSSI. The site falls within the 3km radius Core Sustainance Zone (CSZ) for greater horseshoe bats, and 2km CSZ for lesser horseshoe bats.

Reasons for designation and status/feature type in Management Units

| Code | Common Name | Penallt Old Church | | Newton Court | |
|---|--|--------------------|-------------|--------------|------------------------------|
| | | Status | Feature | Status | Feature |
| Annex II Species that are a primary reason for selection | | | | | |
| 1303 | Lesser horseshoe bat <i>Rhinolophus hipposideros</i> | Unfavourable | Key Species | | Not a reason for designation |
| 1304 | Greater horseshoe bat <i>Rhinolophus ferrumequinum</i> | | Absent | Unfavourable | Key Species |

Vulnerability

The habitat surrounding these sites is of paramount importance to maintaining the population. The loss of flight lines in the form of walls, hedges or woodland rides within 1km around the roost should be prevented, as this is where juvenile bats learn to forage and navigate. There should be a similar aim to maintain or improve the quality of woodland and grazed pasture around and between areas identified as being used by the bats. Management of river habitats in the area is also critical due to the diversity of insect life that sustains the bats.

The overall aim for the landscape surrounding the management units is to improve the feeding opportunities for the greater horseshoe bats and the flight links between these feeding areas and the roosts (nursery, hibernation and transitory). Increases in the amount of land that is cattle grazed, development of 'less managed' bushier hedgerows and conversion of improved grassland to semi-improved grassland, particularly close to the notified nursery roost, would improve the extent and quality of available greater horseshoe bat feeding habitat.

3.2.2 Wye Valley Woodlands SAC

Description

The Wye Valley contains abundant and near-continuous semi-natural woodland along the gorge with a variety of woodland types that is rare within the UK. The Wye Valley Woodlands SAC is a cross border site comprising of 16 SSSI sites, including nine wholly within Wales. Wye Valley Woodlands SAC is one of the most important areas for woodland conservation in the UK. It represents the western most distribution of all three Annex I habitats that are a primary reason for selection. Uncommon trees, including large-leaved lime *Tilia platyphyllos* and rare whitebeams such as *Sorbus porrigentiformis* and *S. rupicola* are found here, as well as locally uncommon herbs, including wood barley *Hordelymus europaeus*, stinking hellebore *Helleborus foetidus*, narrow-leaved bitter-cress *Cardamine impatiens* and wood fescue *Festuca altissima*.

Reasons for Designations

| Code | Common Name | Harper's Grove – Lords' Grove | | Fiddler's Elbow | |
|--|--|-------------------------------|-------------|-----------------|-------------|
| | | Status | Feature | Status | Feature |
| Annex I habitats that are a primary reason for selection | | | | | |
| 9130 | Asperulo-Fagetum beech forests | Favourable | Key Habitat | Favourable | Key Habitat |
| 9180 | Tilio-Acerion forests of slopes, screes and ravines | Favourable | Key Habitat | Favourable | Key Habitat |
| 91J0 | <i>Taxus baccata</i> woods | | Absent | | Absent |
| Annex II species that are present as a qualifying feature, but not a primary reason for selection | | | | | |
| 1303 | Lesser horseshoe bat <i>Rhinolophus hipposideros</i> | Unknown | Sympathetic | Unknown | Sympathetic |

Vulnerability

A significant proportion of the SAC is already managed sympathetically by Forestry Authorities, the Woodland Trust and county Wildlife Trusts. Principal pressures are from lack of management (particularly traditional management, e.g. coppice) and inappropriate management proposals which would alter the recognised woodland stand types. Woodland management affects potential to support lesser horseshoe bats.

| 3.3 Other Relevant Information | |
|---|---|
| 3.3.1 NRW Advice to planning authorities for planning applications affecting nutrient sensitive river SACs (v4, June 2024) | <p>For new developments proposing connections to a public sewer, where a wastewater treatment works permit has been reviewed against the revised water quality targets and, in some cases, varied accordingly, new developments connecting to the associated public sewer should still be subject to an HRA by the Planning Authority. While the nutrient impacts of new connections should be considered on a case-by-case basis, it is likely that a conclusion of no likely significant effect could be drawn in the context of water quality impacts where the sewerage undertaker confirms the following apply:</p> <ul style="list-style-type: none"> • there is capacity to treat additional wastewater from the proposed development within revised environmental permit limits (meaning both nutrient limits with immediate effective dates and for some permits, tighter nutrient limits with future effective dates), and • the WwTW is currently operating in compliance with permit conditions or will be in advance of new connections being made, where permit conditions include those for flow, final effluent standards and flow passed forward (for works with storm tanks or direct storm overflow). |
| 3.3.2 Reference documents that provide further details on the site, and have been used to inform the assessment: | <p>Core Management Plan for Wye Valley and Forest of Dean Bat SAC, CCW, 2008</p> <p>NRW Advice to planning authorities for planning applications affecting phosphorus sensitive river Special Areas of Conservation – Version v4 June 2024</p> <p>Compliance Assessment of Welsh River SACs against Phosphorus Targets -Report No: 489 produced by NRW</p> <p>CORE MANAGEMENT PLAN INCLUDING CONSERVATION OBJECTIVES FOR RIVER WYE SPECIAL AREA OF CONSERVATION Version: 3 Date: September 2022</p> <p>Core Management Plan for Wye Valley Woodlands SAC, CCW, 2008</p> <p>Monmouthshire County Council Review of Consents Element 1 Report by JBA Consulting dated 7th August 2013</p> <p>The Habitats Regulations Handbook, DTA Publications, updated 2021.</p> <p>Tyldesley, D. (2011) Assessing Projects under the Habitats Directive: guidance for competent authorities. Report to Countryside Council for Wales, Bangor.</p> <p>Dŵr Cymru Welsh Water consultation response, 27/11/2024. Ref PLA0083957</p> <p>Ecological Appraisal, Land off Tudor Road Wyesham. EDP, November 2024. Edp4401_r005c</p> <p>Green Infrastructure Statement. Produced by EDP. Report reference edp4401_r006c</p> <p>Green Infrastructure Strategy, Produced by EDP. Drawing number edp4401_d007g. Dated 15th November 2024</p> <p>Planning Layout. Produced by Edenstone Homes, drawing number 100, revision I</p> |

| | |
|--|---|
| 4.TEST OF LIKELY SIGNIFICANT EFFECT | |
| 4.1 Is the proposal directly connected with or necessary to the management of the site for nature conservation? | No |
| 4.2 Scoping of Potential Hazards on Interest Features of the Protected Sites | |
| 4.2.1 River Wye SAC | <p>The interest features that may be impacted are:</p> <ol style="list-style-type: none"> 1. Water courses to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation 2. Sea lamprey <i>Petromyzon marinus</i> 3. Brook lamprey <i>Lampetra planeri</i> 4. River lamprey <i>Lampetra fluviatilis</i> 5. Twaite shad <i>Alosa fallax</i> 6. Atlantic salmon <i>Salmo salar</i> 7. Otter <i>Lutra lutra</i> 8. Allis shad <i>Alosa alosa</i> <p>The potential hazards are:</p> <ol style="list-style-type: none"> 1. Change in water chemistry (including pollution, nutrient enrichment and pH changes) <p>The possible effects may occur:</p> <ol style="list-style-type: none"> 1. During Operation (post-development) <p>The following potential hazards are screened out due to the scale of the proposed development and distance from the protected site: Change in flow or velocity regime (including abstraction/ low flows and reduced dilution capacity); Change in surface flooding; Change in water levels or table; Changes in physical regime; Changes in thermal regime; Competition for non-native species; Disturbance (access, noise, lights, etc.); Entrapment/obstruction; Habitat loss (Direct if within site or indirect to mobile feature habitat if off site); Habitat/ community simplification; Habitat fragmentation/reduced connectivity; Physical damage; Siltation/Sedimentation/Turbidity; Toxic contamination (Vehicles, chemicals, building materials).</p> |
| 4.2.2 Wye Valley and Forest of Dean Bat Sites SAC | <p>The interest features that may be impacted are:</p> <ol style="list-style-type: none"> 1. Greater horseshoe bat <i>Rhinolophus ferrumequinum</i> 2. Lesser horseshoe bat <i>Rhinolophus hipposideros</i> |

| | |
|---|---|
| | <p>The potential hazards are:</p> <ol style="list-style-type: none"> 1. Disturbance (access, noise, lights, etc.), 2. Habitat loss (Direct if within site or indirect to mobile feature habitat if off site), 3. Habitat fragmentation/reduced connectivity, <p>The possible effects may occur:</p> <ol style="list-style-type: none"> 1. During construction 2. During operation (post-development) <p>The following potential hazards are screened out due to the scale and type of the proposed development: Habitat/ community simplification; Physical damage; Toxic contamination (Vehicles, chemicals, building materials)</p> |
| <p>4.2.3. Wye Valley Woodlands SAC</p> | <p>The interest features that may be impacted are:</p> <ol style="list-style-type: none"> 1. Lesser horseshoe bat <i>Rhinolophus hipposideros</i> <p>Potential impacts on woodland interest features are screened out. The MCC Review of Consents (JBA, 2009) identified that protection of woodland features would be likely to maintain the capacity of the habitat to support the bat features and did not identify specific bat hazards for this site. However, NRW have raised impacts on lesser horseshoe bats associated with the Wye Valley Woodlands as a potential concern in their response dated 17th June 2024 (reference CAS-256900-Y6T4). We have therefore used the bat hazards and buffers associated with bat site SACs to consider potential impacts.</p> <p>The potential hazards are:</p> <ol style="list-style-type: none"> 1. Disturbance (access, noise, lights, etc.), 2. Habitat fragmentation/reduced connectivity, <p>The possible effects may occur:</p> <ol style="list-style-type: none"> 3. During construction 4. During operation (post-development) <p>The following potential hazards are screened out due to the scale and type of the proposed development: Habitat/ community simplification; Physical damage; Toxic contamination (Vehicles, chemicals, building materials)</p> |

| 4.3 River Wye SAC – Test of Likely Significant Effect | | | |
|---|--|--|--|
| Hazard | Interest Features <i>Stage of the development</i> | Possible Effect <i>Design of the scheme which reduces impacts on Interest Features</i> <i>Magnitude in the absence of mitigation</i> | Conclusion |
| Change in water chemistry | Watercourse, all interest features <i>Operation</i> | <p>The proposal will result in increased amount of nutrient entering the river environment from additional wastewater generated by 50 dwellings. Nutrients could include ammonia or phosphorus. Ammonia has a high decay rate, breaking down through the process of nitrification within the river system. Phosphorus has a very low decay rate and can accumulate in the river system from multiple point source and diffuse discharges. High concentrations of phosphorus lead to the process of nutrient enrichment, also known as eutrophication, and can alter the balance of plant species in our rivers causing significant ecological damage.</p> <p><i>The development will connect to a WwTW with an environmental permit that has been reviewed against revised conservation objectives for water quality. The Environmental permit specifies limits for ammonia. There is capacity in place to accommodate the additional wastewater in compliance with revised permit limits. The sewer network and associated WwTW has the hydraulic capacity for new connections without leading to an increase in the environmental impact of storm overflows. This has been confirmed by the sewerage undertaker Dŵr Cymru Welsh Water in their consultation response dated 27th November 2024 (reference PLA0083957)</i></p> <p>NRW guidance (version 4, June 2024) states that significant effects from developments connecting to public sewers is unlikely; the magnitude in the absence of mitigation is de minimus.</p> | A likely significant effect on the River SAC is screened out. |
| 4.3.1 Based on the Test of Likely Significant Effect, is the project likely to have a Significant Effect on the River Wye SAC <u>alone</u>? | | | A likely significant effect can be screened out |
| 4.3.2 In combination test: Are there any in combination effects with other plans and projects | | | |
| <p>The MCC Replacement Local Development Plan is being prepared for submission to Welsh Government. The Tudor Road proposed development site is included as a residential allocated site. In combination effects will be considered as part of the HRA for the RLDP.</p> <p>Other known projects not yet started/operational:</p> | | | |

- Upgrade to Wyesham Wastewater Treatment Works – including increased capacity and better nutrient management – EIA Screening Opinion DM/2024/00608
- DM/2021/01700 Land at Wheat Field Close – demolition of existing building and erection of residential development (8 no. one and two bedroom units) – Approved subject to S106

The hazard screened has no residual effects to be considered in combination with other plans and projects

4.3.4 Conclusion of the Test of Likely Significant Effect: Will a full Appropriate Assessment be required?

A full Appropriate Assessment is **not** required

4.4 Wye Valley and Forest of Dean Bat Sites SAC – Test of Likely Significant Effect

| Hazard | Interest Features <i>Stage of the development</i> | Possible Effect <i>Design of the scheme which reduces impacts on Interest Features</i> <i>Magnitude in the absence of mitigation</i> | Conclusion |
|---|--|---|--|
| Disturbance (access, noise, lights, etc.) & Habitat fragmentation/reduced connectivity, | Greater horseshoe bats Lesser horseshoe bats <i>Construction</i> | Horseshoe bats use commuting corridors along linear landscape features and forage in permanent pasture and woodland. Interruption of flightlines and decline in quality of linear features may impact the favourable conservation status of greater and lesser horseshoe bats. Surveys undertaken between May and October recorded both species present in the site and on the northern boundary in all months. Inappropriate site lighting during construction could light boundary features used by greater and lesser horseshoe bats commuting passed the site. Horseshoe bats are light sensitive species and avoid lit areas. Loss of key flight routes can lead to fragmentation of habitat and reduced connectivity. <i>No features to reduce impacts are included in the design of the scheme.</i> The magnitude in the absence of mitigation is unknown . | A likely significant effect cannot be ruled out. |
| Disturbance (access, noise, lights, etc.) & Habitat fragmentation/ | Greater horseshoe bats Lesser horseshoe bats | The development is adjacent to flight corridors used by horseshoe bats. Disturbance from the development includes lighting from street lighting and light spill from houses and gardens. Loss of key flight routes can lead to fragmentation of habitat and reduced connectivity. <i>No features to reduce impacts are included in the design of the scheme.</i> | A likely significant effect cannot be ruled out. |

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| reduced connectivity, | <i>Operation</i> | The magnitude in the absence of mitigation is unknown . | |
| Habitat loss (Indirect - mobile feature), | Greater horseshoe bats Lesser horseshoe <i>As a result of development</i> | The development will result in the loss of a small field which is within the core sustenance zone for lesser horseshoe and greater horseshoe bat roosts identified by the Bat Conservation Trust as 2km for lesser horseshoe bats and 3km for greater horseshoe bats. Loss of foraging habitat may affect the favourable conservation status of bats. Activity levels at the static location within the field were less than on the northern boundary; numbers of calls recorded did not indicate foraging activity but the field could be used for foraging opportunistically. The proposal will result in the loss of less than 0.01% of undeveloped land within core sustenance zone of protected roosts. The loss is unlikely to have a significant effect on the favourable conservations status of species. <i>No features to reduce impacts are included in the design of the scheme</i> The magnitude of the impact is de minimus . | A likely significant effect can be ruled out. |
| 4.4.1 Based on the Test of Likely Significant Effect, is the project likely to have a Significant Effect on the Wye Valley and Forest of Dean Bat Sites SAC <u>alone</u>? | | The following hazards are unlikely to have significant effect on the site 1. Habitat loss However, a likely significant effect on the interest features as a result of disturbance and habitat fragmentation cannot be ruled out. | |
| 4.4.2 In combination test: Are there any in combination effects with other plans and projects | | In combination effects will be considered at Appropriate Assessment. | |
| 4.4.3 Conclusion of the Test of Likely Significant Effect: Will a full Appropriate Assessment be required? | | A full appropriate assessment for Wye Valley Forest of Dean Bats Sites SAC is required. | |

| 4.5 Wye Valley Woodland SAC – Test of Likely Significant Effect | | | |
|---|--|--|--|
| Hazard | Interest Features <i>Stage of the development</i> | Possible Effect <i>Design of the scheme which reduces impacts on Interest Features</i> <i>Magnitude in the absence of mitigation</i> | Conclusion |
| Disturbance (access, noise, lights, etc.) & Habitat fragmentation/reduced connectivity, | Lesser horseshoe bats <i>Construction</i> | Horseshoe bats use commuting corridors along linear landscape features and forage in permanent pasture and woodland. Interruption of flightlines and decline in quality of linear features may impact the favourable conservation status of lesser horseshoe bats. Inappropriate site lighting during construction could light boundary features used by lesser horseshoe bats commuting passed the site. Horseshoe bats are light sensitive species and avoid lit areas. Loss of key flight routes can lead to fragmentation of habitat and reduced connectivity. <i>No features to reduce impacts are included in the design of the scheme.</i> The magnitude in the absence of mitigation is unknown . | A likely significant effect cannot be ruled out. |
| Disturbance (access, noise, lights, etc.) & Habitat fragmentation/reduced connectivity, | Lesser horseshoe bats <i>Operation</i> | The development is adjacent to flight corridors used by horseshoe bats. Disturbance from the development includes lighting from street lighting and light spill from houses and gardens. Loss of key flight routes can lead to fragmentation of habitat and reduced connectivity. <i>No features to reduce impacts are included in the design of the scheme.</i> The magnitude in the absence of mitigation is unknown . | A likely significant effect cannot be ruled out. |
| 4.5.1 Based on the Test of Likely Significant Effect, is the project likely to have a Significant Effect on the Wye Valley Woodlands SAC <u>alone</u>? | | A likely significant effect on the interest features as a result of disturbance and habitat fragmentation cannot be ruled out. | |
| 4.5.2 In combination test: Are there any in combination effects with other plans and projects | | In combination effects will be considered at Appropriate Assessment | |
| 4.5.3 Conclusion of the Test of Likely Significant Effect: Will a full Appropriate Assessment be required? | | A full appropriate assessment for Wye Valley Woodlands SAC is required. | |

| 5. APPROPRIATE ASSESSMENT | | |
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| 5.1 Wye Valley and Forest of Dean Bat Sites SAC | | |
| Element of the Project | Interest Feature(s) <i>Hazard(s)</i> | Mitigation Measure Required |
| Construction Phase | Greater Horseshoe Bat Lesser Horseshoe Bat <i>Disturbance (lighting)</i> <i>Habitat fragmentation</i> | Construction site lighting control is required to safeguard features during the construction phase of the development. Construction lighting details can be secured with a Construction Environmental Management Plan which is also required to protect non-SAC interest features. |
| Operational phase | Greater Horseshoe Bat Lesser Horseshoe Bat <i>Disturbance (lighting)</i> <i>Habitat fragmentation</i> | The built development is close to the northern boundary of the field. Some additional infill planting is shown on the masterplan. The redline development boundary has been extended north to allow for surface water drainage features. There is scope within this added area to provide further planting to screen the commuting route from the development. A sensitive lighting scheme will be required to further minimise disturbance impacts. We should also seen to ensure that boundary treatments are maintained to prevent degradation of the boundaries by access or increased light. Conditions will be required for: a landscape plan demonstrating screening planting; a Green Infrastructure Management Plan (or Landscape Environment Management Plan); a lighting scheme, and boundary treatments. |
| 5.1.2 Based on the Appropriate Assessment; Is the project likely to impact the integrity of the Wye Valley and Forest of Dean Bat Sites SAC <u>alone</u>? | | With appropriate worded conditions the proposal is unlikely to affect the integrity of the interest features of the site. |
| 5.1.3 If there is no impact on the integrity of the SAC alone, are there other projects of plans that <u>in-combination</u> with the project being assessed could affect the site? | | The MCC Replacement Local Development Plan is being prepared for submission to Welsh Government. The Tudor Road proposed development site is included as a residential allocated site. In combination effects will be considered as part of the HRA for the RLDP. There are no other known projects or plans which could have a cumulative effect. |
| 5.1.4 Integrity Test - Wye Valley and Forest of Dean Bat Sites SAC | | Subject to the imposition of appropriate conditions, it is concluded that the project will not adversely affect the integrity of the Wye Valley and Forest of Dean Bat Sites SAC. |

| 5.2 Wye Valley Woodlands SAC | | |
|---|---|--|
| Element of the Project | Interest Feature(s) <i>Hazard(s)</i> | Mitigation Measure Required |
| Construction Phase | Lesser Horseshoe Bat <i>Disturbance (lighting)</i> <i>Habitat fragmentation</i> | Construction site lighting control is required to safeguard features during the construction phase of the development. Construction lighting details can be secured with a Construction Environmental Management Plan which is also required to protect non-SAC interest features. |
| Operational phase | Lesser Horseshoe Bat <i>Disturbance (lighting)</i> <i>Habitat fragmentation</i> | The built development is close to the northern boundary of the field. Some additional infill planting is shown on the masterplan. The redline development boundary has been extended north to allow for surface water drainage features. There is scope within this added area to provide further planting to screen the commuting route from the development. A sensitive lighting scheme will be required to further minimise disturbance impacts. We should also seen to ensure that boundary treatments are maintained to prevent degradation of the boundaries by access or increased light. Conditions will be required for: a landscape plan demonstrating screening planting; a Green Infrastructure Management Plan (or Landscape Environment Management Plan); a lighting scheme, and boundary treatments. |
| 5.2.2 Based on the Appropriate Assessment; Is the project likely to impact the integrity of the Wye Valley Woodlands Sites SAC <u>alone</u>? | | With appropriate worded conditions the proposal is unlikely to affect the integrity of the interest features of the site. |
| 5.2.3 If there is no impact on the integrity of the SAC alone, are there other projects of plans that <u>in-combination</u> with the project being assessed could affect the site? | | The MCC Replacement Local Development Plan is being prepared for submission to Welsh Government. The Tudor Road proposed development site is included as a residential allocated site. In combination effects will be considered as part of the HRA for the RLDP. There are no other known projects or plans which could have a cumulative effect. |
| 5.2.4 Integrity Test - Wye Valley Woodlands SAC | | Subject to the imposition of appropriate conditions, it is concluded that the project will not adversely affect the integrity of the Wye Valley Woodlands SAC. |

| 6. CONCLUSION | |
|---|---|
| 6.1 Outcome of Test of Likely Significant Effect | Based on planning guidance published by NRW, a likely significant effect on River Wye SAC is unlikely. Likely significant effects on Wye Valley and Forest of Dean Bat Sites and Wye Valley Woodlands SAC could not be ruled out. |
| 6.2 Outcome of the Integrity Test | Subject to the imposition of appropriate conditions, the project is unlikely to adversely affect the integrity of the Wye Valley and Forest of Dean Bat Sites SAC and Wye Valley Woodland SAC. |
| 6.3 Conditions required | <p>Construction Environmental Management Plan</p> <p>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 include the following:</p> <ul style="list-style-type: none"> • Construction methods: details of materials, how waste generated will be managed. • General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, mixing and washing areas) and any watercourse or surface drain. • Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures. • Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use. • Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan. • Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details The CEMP shall be implemented as approved during the site preparation and construction phases of the development. <p>The approved CEMP shall be adhered to and implemented throughout the site preparation and construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.</p> <p><i>Reason: To safeguard habitats and species protected under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), and Environment (Wales) Act 2016.</i></p> <p>Landscape Plan</p> <p>Prior to the commencement of development full and comprehensive details of soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:</p> <ul style="list-style-type: none"> • Detailed scaled plans, showing existing and proposed levels inclusive of proposed cross section. • Proposed and existing utilities/services above and below ground. |

- Soft landscape details for landscaping to include planting plans, specifications including species, size, density, number and location, cultivation and other operations associated with planting and seeding establishment, inclusive of SUDS green engineering and rainwater gardens.
- Hard landscape materials to include surfacing, SUDs, location of proposed lighting, fencing, gates, minor artefacts and structures (e.g. signs, bins, stores). Lighting strategy

Reason: In the interests of visual and landscape amenity; in accordance with Policies DES1 & LC1/5 of the Local Development Plan. And to safeguard foraging and commuting routes used by species protected by Conservation of Habitats and Species Regulations 2017.

Green Infrastructure Management Plan (or Landscape Environment Management Plan)

An appropriately scaled Green Infrastructure Management Plan shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the Management Plan as a standalone document shall include the following;

- a) Description and evaluation of Green Infrastructure assets to be identified, protected and managed in the GI management plan.
 - i. Boundary buffers including woodland, hedge and copse
 - ii. Green corridors including those within the site
 - iii. Grassland areas including mown grass, wildflower areas and understorey interfaces
 - iv. Water bodies to include swales and rain gardens
- b) Opportunities for enhancement to be incorporated
 - a. Management of treed and planted boundaries for GI and biodiversity including interfaces with GI corridors connection the wider landscape
 - b. Maintain habitat connectivity through the site for species
 - c. Assessment of any ash die back, opportunities for replacement planting and a programme for implementation
- c) Trends and constraints on site that might influence management of above features.
- d) Aims and objectives of management.
- e) Appropriate management options for achieving aims and objectives.
- f) Prescriptions for management actions.
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty-year period).
- h) Details of the body or organization responsible for implementation of the plan.
- i) 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 as appropriate. 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

| | |
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| | <p>the development still delivers the fully functioning Green Infrastructure objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.</p> <p><i>Reason: To maintain and enhance Green Infrastructure Assets in accordance with LDP policies, DES1, S13, GI1, NE1,. And to safeguard foraging and commuting routes used by species protected by Conservation of Habitats and Species Regulations 2017.</i></p> <p>Lighting Scheme</p> <p>Prior to the commencement of the development, a “lighting design strategy for biodiversity” for the development shall be submitted to and approved in writing by the local planning authority. The strategy shall at minimum:</p> <ol style="list-style-type: none"> a) Identify areas/features on site that are sensitive for bats and must remain unlit b) Provide details of lighting type, position and specification, including use of cowls and appropriate light wave lengths c) Provide drawings showing lux levels on horizontal and vertical planes, demonstrating that dark corridors will be retained. <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. 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 other than approved under this permission shall be installed within the curtilage of the development without prior written approval of the Local Planning Authority</p> <p><i>Reason: To safeguard foraging and commuting routes used by light sensitive species in accordance with Environment (Wales) Act 2016 and Conservation of Habitats and Species Regulations 2017.</i></p> <p>Boundary Treatments</p> <p>Notwithstanding the provisions of Article 3, Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development)(Amendment)(Wales) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no gate, fence, wall or other means of enclosure other than any approved under this permission shall be erected or placed without the prior written approval of the Local Planning Authority.</p> <p><i>Reasons: To safeguard commuting and foraging routes in accordance with Conservation of Habitats and Species Regulations 2017.</i></p> |
| 6.4 Consultation | NRW will be consulted on the outcome of this Appropriate Assessment |

Conservation Objective for the watercourse:

The ecological status of the watercourse is a major determinant of FCS for all features. The required conservation objective for the watercourse is defined below.

- * The capacity of the habitats in the SAC to support each feature at near-natural population levels, as determined by predominantly unmodified ecological and hydromorphological processes and characteristics, should be maintained as far as possible, or restored where necessary.
- * The ecological status of the water environment should be sufficient to maintain a stable or increasing population of each feature. This will include elements of water quantity and quality, physical habitat and community composition and structure.
- * Flow regime, water quality and physical habitat should be maintained in, or restored as far as possible to, a near-natural state, in order to support the coherence of ecosystem structure and function across the whole area of the SAC.
- * All known breeding, spawning and nursery sites of species features should be maintained as suitable habitat as far as possible, except where natural processes cause them to change.
- * Flows, water quality, substrate quality and quantity at fish spawning sites and nursery areas will not be depleted by abstraction, discharges, engineering or gravel extraction activities or other impacts to the extent that these sites are damaged or destroyed.
- * The river planform and profile should be predominantly unmodified. Physical modifications having an adverse effect on the integrity of the SAC, including, but not limited to, revetments on active alluvial river banks using stone, concrete or waste materials, unsustainable extraction of gravel, addition or release of excessive quantities of fine sediment, will be avoided.
- * River habitat SSSI features should be in favourable condition. Where the SAC habitat is not underpinned by a river habitat SSSI feature, the target is to maintain the characteristic physical features of the river channel, banks and riparian zone.
- * Artificial factors impacting on the capability of each species feature to occupy the full extent of its natural range should be modified where necessary to allow passage, eg. weirs, bridge sills, acoustic barriers.
- * Natural factors such as waterfalls, which may limit, wholly or partially, the natural range of a species feature or dispersal between naturally isolated populations, should not be modified.
- * Flows during the normal migration periods of each migratory fish species feature will not be depleted by abstraction to the extent that passage upstream to spawning sites is hindered.
- * Flow objectives for will be agreed by NRW as necessary. It is anticipated that these limits will concur with the standards used by the Review of Consents process given in Appendix 3 [of the Core Management Plan].
- * Water Quality targets follow those in the revised Common Standards Monitoring Guidance for Rivers (JNCC 2016). These are detailed in Appendix 2 [of the core management plan] with targets for organic pollution (DO, BOD and ammonia), phosphate, trophic diatom index and acidification.
- * Potential sources of pollution not addressed in the Review of Consents, such as contaminated land, will be considered in assessing plans and projects.
- * Levels of suspended solids will be agreed by NRW for each Water Framework Directive water body in the Wye SAC as necessary. Measures including, but not limited to, the control of suspended sediment generated by agriculture, forestry and engineering works, will be taken to maintain suspended solids below these levels.

Conservation Objective for Features 1-7 (fish):

- ✦ Sea lamprey *Petromyzon marinus* (EU Species Code 1095) ;

- ✦ Brook lamprey *Lampetra planeri* (EU Species Code 1096) ;
- ✦ River lamprey *Lampetra fluviatilis* (EU Species Code 1099) ;
- ✦ Twaite shad *Alosa fallax* (EU Species Code 1103) ;
- ✦ Allis shad *Alosa alosa* (EU Species Code 1102) ;
- ✦ Atlantic salmon *Salmo salar* (EU Species Code 1106) ;
- ✦ Bullhead *Cottus gobio* (EU Species Code 1163)

The vision for these features is for them to be in a favourable conservation status where all of the following conditions are satisfied:

- * The conservation objective for the water course must be met
- * The population of the feature in the SAC is stable or increasing over the long term.
- * The natural range of the feature in the SAC is neither being reduced nor is likely to be reduced for the foreseeable future. The natural range is taken to mean those reaches where predominantly suitable habitat for each life stage exists over the long term. Suitable habitat is defined in terms of near-natural hydrological and geomorphological processes and forms eg. suitable flows to allow upstream migration, depth of water and substrate type at spawning sites, and ecosystem structure and functions eg. food supply. Suitable habitat need not be present throughout the SAC but where present must be secured for the foreseeable future. Natural factors such as waterfalls may limit the natural range of individual species. Existing artificial influences on natural range that cause an adverse effect on site integrity, such as physical barriers to migration, will be assessed in view of the conservation objectives for the watercourse.
- * There is, and will probably continue to be, a sufficiently large habitat to maintain the feature's population in the SAC on a long-term basis.

Conservation Objective for Feature 8:

- ✦ European otter *Lutra lutra* (EU Species Code 1355)

The vision for this feature is for it to be in a favourable conservation status where all of the following conditions are satisfied:

- * The population of otters in the SAC is stable or increasing over the long term and reflects the natural carrying capacity of the habitat within the SAC, as determined by natural levels of prey abundance and associated territorial behaviour.
- * The natural range of otters in the SAC is neither being reduced nor is likely to be reduced for the foreseeable future. The natural range is taken to mean those reaches that are potentially suitable to form part of a breeding territory and/or provide routes between breeding territories. The whole area of the Wye SAC is considered to form potentially suitable breeding habitat for otters. The size of breeding territories may vary depending on prey abundance. The population size should not be limited by the availability of suitable undisturbed breeding sites. Where these are insufficient they should be created through habitat enhancement and where necessary the provision of artificial holts. No otter breeding site should be subject to a level of disturbance that could have an adverse effect on breeding success. Where necessary, potentially harmful levels of disturbance must be managed.
- * The safe movement and dispersal of individuals around the SAC is facilitated by the provision, where necessary, of suitable riparian habitat, and underpasses, ledges, fencing etc at road bridges and other artificial barriers.

Conservation Objective for Feature 9:

- ✦ Water courses of plain to montane levels with the *Ranunculion fluitantis* and Callitriche-Batrachion vegetation (EU Habitat Code: 3260)

The vision for this feature is for it to be in a favourable conservation status where all of the following conditions are satisfied:

- * The conservation objective for the water course must be met
- * The natural range of the plant communities represented within this feature should be stable or increasing in the SAC. The natural range is taken to mean those reaches where predominantly suitable habitat exists over the long term. Suitable habitat and associated plant communities may vary from reach to reach. Suitable habitat is defined in terms of near-natural hydrological and geomorphological processes and forms eg. depth and stability of flow, stability of bed substrate, and ecosystem structure and functions eg. nutrient levels, shade. Suitable habitat for the feature need not be present throughout the SAC but where present must be secured for the foreseeable future, except where natural processes cause it to decline in extent.
- * The area covered by the feature within its natural range in the SAC should be stable or increasing.
- * The conservation status of the feature's typical species are defined with reference to the species composition of the appropriate JNCC river vegetation type for the particular river reach, unless differing from this type due to natural variability when other typical species may be defined as appropriate.

Conservation Objective for Feature 10

- ✦ White-clawed crayfish *Austropotamobius pallipes* (EU species code 1092)

The vision for this feature is for it to be in a favourable conservation status where all of the following conditions are satisfied:

- * The conservation objective for the water course must be met.
- * The population of the feature in the SAC is stable or increasing over the long term.
- * The area covered by the feature within its natural range in the SAC should be stable or increasing.
- * The natural range of the feature in the SAC is neither being reduced nor is likely to be reduced for the foreseeable future. The natural range is taken to mean those reaches where predominately suitable habitat for each life stage exists over the long term. Suitable habitat is defined in terms of near natural hydrological and geomorphological processes and forms e.g. substrate type, water hardness and temperature, and ecosystem structure and functions e.g. food supply, absence of invasive non-native competitors. Suitable habitat need not be present throughout the SAC but where present must be secured for the foreseeable future. Natural factors such as waterfalls may limit the natural range of individuals. Existing artificial influences on natural range that cause an adverse effect on site integrity should be assessed.
- * There is, and will probably continue to be, a sufficiently large habitat to maintain the feature's population in the SAC on a long-term basis.

Conservation Objective for Feature 11

- ✦ Quaking bogs and transition mires (EU habitat code 7410)

The vision for this feature is for it to be in a favourable conservation status where all of the following conditions are satisfied:

- * The conservation objective for the water course must be met.
- * The natural range of the plant communities represented within this feature should be stable or increasing in the SAC. The natural range is taken to mean those reaches where near-natural hydrological and geomorphological processes and landforms favour the development of this habitat. The feature need not be present in all suitable locations in the SAC but where present must be secured for the foreseeable future.
- * The area covered by the feature within its natural range in the SAC should be stable or increasing.

- * The conservation status of the feature's typical species should be favourable. The typical species are defined with reference to the species composition of the appropriate NVC type(s), unless differing from this type due to natural variability/local distinctiveness when other typical/indicator species may be defined as appropriate.

APPENDIX 2 - European Site Conservation Objectives for Wye Valley and Forest of Dean Bat Sites SAC:

Conservation Objective for Feature 1

- ✦ Greater horseshoe bat *Rhinolophus ferrumequinum* (EU species code 1304)

The vision for this feature is for it to be in a favourable conservation status where all of the following conditions are satisfied:

- * The site will support a sustainable population of greater horseshoe bats in the Wye Valley area.
- * The population will be viable in the long term, acknowledging the population fluctuations of the species.
- * Buildings, structures and habitats on the site will be in optimal condition to support the populations.
- * Sufficient foraging habitat is available, in which factors such as disturbance, interruption to flight lines, and mortality from predation or vehicle collision, changes in habitat management that would reduce the available food source are not at levels which could cause any decline in population size or range.
- * Management of the surrounding habitats is of the appropriate type and sufficiently secure to ensure there is likely to be no reduction in population size or range, nor any decline in the extent or quality of breeding, foraging or hibernating habitat.
- * There will be no loss or decline in quality of linear features (such as hedgerows and tree lines) which the bats use as flight lines - there will be no loss of foraging habitat use by the bats or decline in its quality, such as due to over-intensive woodland management.
- * All factors affecting the achievement of the foregoing conditions are under control.

Conservation Objective for Feature 2

- ✦ Lesser horseshoe bat *Rhinolophus hipposideros* (EU species code 1303)

The vision for this feature is for it to be in a favourable conservation status, where all of the following conditions are satisfied:

- * The site will support a sustainable population of lesser horseshoe bats in the Wye Valley area.
- * The population will be viable in the long term, acknowledging the population fluctuations of the species.
- * Buildings, structures and habitats on the site will be in optimal condition to support the populations.
- * Sufficient foraging habitat is available, in which factors such as disturbance, interruption to flight lines, and mortality from predation or vehicle collision, changes in habitat management that would reduce the available food source are not at levels which could cause any decline in population size or range.
- * Management of the surrounding habitats is of the appropriate type and sufficiently secure to ensure there is likely to be no reduction in population size or range, nor any decline in the extent or quality of breeding, foraging or hibernating habitat.
- * There will be no loss or decline in quality of linear features (such as hedgerows and tree lines) which the bats use as flight lines - there will be no loss of foraging habitat use by the bats or decline in its quality, such as due to over-intensive woodland management.
- * All factors affecting the achievement of the foregoing conditions are under control.

Conservation Objective for Feature 1

- ✦ Tilio-Acerion of slopes, screes and ravines (EU Habitat Code 9180)

The vision for this feature is for it to be in a favourable conservation status, where all of the following conditions are satisfied:

- * Tilio–Acerion woodland is found in all eight of the Welsh SSSIs that contribute to the Wye Valley Woodlands SAC.
- * The woodland area covers the entire site.
- * The woodland is maintained as far as possible by natural processes.
- * The location of open glades varies over time.
- * Trees and shrubs are mainly locally native broadleaved species.
- * The abundance and density of individual native species varies across the site.
- * Trees and shrubs of a wide range of ages and sizes are present.
- * Tree seedlings are plentiful throughout the site.
- * Tree seedlings develop into saplings in the open glades.
- * There are abundant dead and dying trees with holes and hollows, rot columns, torn off limbs and rotten branches.
- * Some dead and dying trees will be partially or completely hollow.
- * Fallen dead wood is dense enough to obstruct progress by foot across the entire site, except on established maintained paths.
- * Dead wood dependent species of moss, liverwort, fungi and specialised invertebrates are present, in spatially and temporally variable abundance, throughout the site.
- * Field and ground layers are well developed with a patchwork of vegetation communities characteristic of local soil and humidity conditions.
- * All factors affecting the achievement of these conditions are under control.

Conservation Objective for Feature 2

- ✦ Asperulo–Fagetum beech forests (EU Habitat Code 9130)

The vision for this feature is for it to be in a favourable conservation status, where all of the following conditions are satisfied:

- * Asperulo-Fagetum woodland continues to be present in Fiddler’s Elbow, Harper’s Grove – Lord’s Grove, Lower Hael, Cleddon Shoots and Blackcliff Wyndcliff woods that contribute to the Wye Valley Woodlands SAC
- * The woodland area covers the entire site.
- * The woodland is maintained as far as possible by natural processes.
- * The location of open glades varies over time.
- * Trees and shrubs are mainly locally native broadleaved species.
- * The abundance and density of individual native species varies across the site.
- * Trees and shrubs of a wide range of ages and sizes are present.
- * Tree seedlings are plentiful throughout the site.

- * Tree seedlings develop into saplings in the open glades.
- * There are abundant dead and dying trees with holes and hollows, rot columns, torn off limbs and rotten branches.
- * Some dead and dying trees will be partially or completely hollow.
- * Fallen dead wood is dense enough to obstruct progress by foot across the entire site, except on established maintained paths.
- * Field and ground layers are well developed with a patchwork of vegetation communities characteristic of local soil and humidity conditions.
- * The woodland supports populations of birds (included pied flycatchers, redstarts, wood warblers) and mammals (including several bat species, otters and badgers).
- * All factors affecting the achievement of these conditions are under control.

Conservation Objective for Feature 3

- ✦ *Taxus Baccata* woods of the British Isles (EU Habitat Code 91J0)

The vision for this feature is for it to be in a favourable conservation status, where all of the following conditions are satisfied:

- * *Taxus Baccate* woodland continues to be present in Blackcliff Wyndcliff Woods that contribute to the Wye Valley Woodlands SAC.
- * The woodland area covers the entire site.
- * The woodland is maintained as far as possible by natural processes.
- * The location of open glades varies over time.
- * Trees and shrubs are mainly locally native broadleaved species.
- * The abundance and density of individual native species varies across the site.
- * Trees and shrubs of a wide range of ages and sizes are present.
- * Tree seedlings are plentiful throughout the site.
- * Tree seedlings develop into saplings in the open glades.
- * There are abundant dead and dying trees with holes and hollows, rot columns, torn off limbs and rotten branches.
- * Some dead and dying trees will be partially or completely hollow.
- * Fallen dead wood is dense enough to obstruct progress by foot across the entire site, except on established maintained paths.
- * Dead wood dependent species of moss, liverwort, fungi and specialised invertebrates are present, in spatially and temporally variable abundance, throughout the site.
- * Field and ground layers are well developed with a patchwork of vegetation communities characteristic of local soil and humidity conditions.
- * The woodland supports populations of birds (included pied flycatchers, redstarts, wood warblers) and mammals (including several bat species, otters and badgers).
- * All factors affecting the achievement of these conditions are under control.

Conservation Objective for Feature 4

- ✦ Lesser horseshoe bat *Rhinolophus hipposideros* (EU species code 1303)

The vision for this feature is:

- * The woodlands continue to support populations of lesser horseshoe bat.
- * Sufficient foraging habitat is available, in which factors such as disturbance, interruption to flight lines, mortality from predation or vehicle collision, and changes in habitat management that would reduce the available food source are not at levels, which could cause any decline in population size.
- * Management of the woodland SAC is of the appropriate type and sufficiently secure to ensure there is likely to be no reduction in population size or range, nor any decline in the extent or quality of breeding, foraging or hibernating habitat, for example due to over-intensive woodland management.
- * There will be no loss or decline in quality of linear features (such as hedgerows and tree lines), which the bats use as flight lines.
- * Disturbance to roost sites both within the site and in the surrounding area, especially from human physical presence, noise and lighting, is minimized.
- * All factors affecting the achievement of these conditions are under control.

Conservation Objective for Feature 5

- ✦ Non SAC semi natural broadleaved woodland

The vision for this feature is as for features 1, 2 and 3.