

**Application Number:** DC/2018/00007

**Proposal:** Demolition of magistrates court and police station building and erection of a building comprising 47 retirement living apartments with associated residents lounge, refuse, electric, rechargeable buggy store, guest suite, substation and access, car parking and landscaped grounds.

**Address:** Abergavenny Magistrates Court And Police Station Site Tudor Street  
Abergavenny NP7 5YL

**Applicant:** McCarthy And Stone Retirement Lifestyles Ltd

**Plans:** Site Layout 26 - 03, Floor Plans - Proposed 26 - 03, Floor Plans - Proposed 29 - 03, Floor Plans - Proposed 30 - 03, Floor Plans - Proposed 31 - 03, Floor Plans - Proposed 34 - 03, Elevations - Proposed 39 - 03, Bat Survey Bat Roost Assessment - July 2018, Floor Plans - Existing PS Plans - , Site Layout 02 - 01, Elevations - Existing 06 - 01, Location Plan 01 - 01, Elevations - Proposed 41 - 02, Elevations - Proposed 40 - 02, Transport Assessment The McCarthy & Stone, Demolition & Construction Traffic Management Statement - A,

**RECOMMENDATION: Approved subject to S106 agreement**

Case Officer: Mr Andrew Jones

Date Valid: 16.07.2018

**1.0 APPLICATION DETAILS**

1.1 The application site relates to the buildings of the former magistrates court and the police station, the latter of which is still in use. All buildings and structures are to be removed from the site and are subject to a concurrent Conservation Area Consent application DC/2018/00008. The application site has its main frontage on Tudor Street and is situated on the corner between Tudor Street and Baker Street to the south-west of the town centre.

1.2 Full planning permission is sought to replace the existing buildings with a new structure comprising of 47 retirement living apartments with associated access, car parking and landscaped grounds. The existing vehicular access off Baker Street would be retained as would the siting of the existing car park area to the rear (north) of the building. Parking spaces would be increased at the site from 30 to 39, and 5 cycle spaces would also be introduced.

1.3 The existing buildings on site are set in an elevated position. It is proposed to reduce the ground level to create a level approach to the side from its principal frontage onto Tudor Street. The new building itself has been subject to considerable design revision following negotiation between the Planning Case Officer, Heritage Manager and the applicant. The building now reads as two distinct blocks that are bridged by a central single storey element that would function as a reception lobby. The two elements would effectively be four and three stories, however the upper floors to each would be achieved by way of a recessed mansard roof. The buildings would be finished with a mixed pallet of materials including yellow stock brick, painted render and hanging slate.

## 2.0 RELEVANT PLANNING HISTORY

Reference Number	Description	Decision	Decision Date
DC/2009/01010	Construction of new glazed entrance porch to provide more clearly defined entrance and better security facilities at ground floor level	Approved	17.12.2009
DC/2003/00009	Extend The Existing Facilities To Provide An Additional Courtroom Extension.	Pending Consideration	05.02.2003
DC/2018/00008	Conservation Area Consent - Demolition of magistrates court and police station building and erection of a building comprising 47 retirement living apartments with associated residents lounge, refuse, electric, rechargeable buggy store, guest suite, substation and access, car parking and landscaped grounds.	Pending Consideration	

## 3.0 LOCAL DEVELOPMENT PLAN POLICIES

### Strategic Policies

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

### Development Management Policies

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements  
MV1 LDP Proposed Developments and Highway Considerations  
DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
GI1 LDP Green Infrastructure  
NE1 LDP Nature Conservation and Development  
SD4 LDP Sustainable Drainage  
HE1 LDP Development in Conservation Areas

## 4.0 REPRESENTATIONS

### 4.1 Consultation Replies

Abergavenny Town Council - Recommend the application is refused. The nature and scale of this development is out of character with the area and contrary to the LDP Policies DES1 and HE2.

This is a large site in the context of Abergavenny and there is an opportunity here to enhance the place and character with a more innovative design that makes better use of the site. The proposed development closely adheres to the footprints of the current uses on the site i.e. buildings and car parks which is an unnecessary constraint. Properties could be built adjoining Baker Street and the road at the rear of the site. Due to the change in levels on the site, the current scheme would result in the ground floor properties in the north side being partly below ground level which the Town Council consider to be poor design resulting in poor quality accommodation. More specifically the colour of the window detail and balcony detail is too dark and drab and the colour of the brick is also too dark. The balcony design will restrict natural light into rooms and does not accord with the energy efficiency aspect of Policy DES1.

MCC Highways - Have agreed that there are no highway grounds to substantiate an objection to the planning application on either access or parking grounds. Detailed written comments are to be presented to Planning Committee by way of late correspondence.

MCC Ecology – concludes no further survey information is needed. There are, however, no enhancements for biodiversity included in the scheme, which are required under LDP Policy NE1. Suitable recommendations are made in the reports but they are not in enforceable language or shown on plans and therefore we cannot secure them.

Please can you request the enhancements for biodiversity (such as species rich native hedge, bird/bat boxes, etc.) are included in the scheme and shown on plans suitable for approval.

MCC Environmental Health - I have carefully considered this application and in particular the noise assessment dated November 2017.

I can confirm that I have no objection to the proposed development but recommend that any grant of permission is subject to the recommended conditions.

MCC Specialist Environmental Health - I have looked at application DC/2018/00007 for the demolition of the magistrate's court and building of 47 retirement apartment's.

When you consulted with us last April on the Pre-application I commented that a transport assessment would be required to determine if an air quality assessment was necessary, and a contaminated land assessment and risk assessment would be required.

The developer has submitted documents with the application for both transport and contaminated land.

An Air Quality Assessment would be required if the Annual Average Daily Traffic (AADT) increased by 100 vehicles.

The Transport Statement states that the development would generate 9 vehicles at the am Peak and 6 vehicles at the PM peak, which would be considered Low Impact.

The current/former traffic levels caused by the Police Station/Magistrates Court was not known, however The Transport Statement considers that this development would result in a betterment to the highway network, in terms of safety and operation, when compared to the site's previous operation as a police station.

If MCC Traffic/Highway section considers this a robust assessment, and anticipates that the development would result in an increase of the AADT of less than 100 vehicles, then an air quality impact assessment would not be required, provided any road realignments do not decrease the proximity of receptors to traffic lanes, or that the development does not introduce any of the combustion processes outlined in my below email of 26th April 2017.

The Developer has submitted a Desktop Investigation and a Site Investigation and Contamination Appraisal.

The Desktop Investigation identified potential for land contamination from both on-site and offsite sources, and noted that due to the age of the current buildings, an Asbestos Survey would need to be undertaken, and asbestos removed by an appropriate contractor prior to demolition.

The subsequent Site Investigation identified some inorganic and organic contaminants, and an underground fuel tank and interceptor.

Three rounds of a six round gas monitoring regime had been started, but had not finished prior to publication of the report.

The site investigation proposes that:-

- The underground fuel storage tank and interceptor be decommissioned and removed by an appropriate contractor
- A Gas Monitoring Report be prepared following the end of the monitoring regime
- Basic Radon Protection Measures
- An Asbestos Survey be undertaken of the superstructure and any Asbestos Containing Materials appropriately removed and disposed of
- Additional sampling be undertaken in the following locations:-
- Around the areas already identified as contaminated (to establish the extent of the contamination)
- In the areas around the fuel tank and interceptor
- Any areas currently inaccessible due to buildings after demolition

As such I would recommend that the suggested Conditions be included on any Planning Consent. Please note that the Desk Top Study (EH01 (a)) can be considered completed already, and so could be left off the conditions, or noted as discharged.

MCC Housing Officer - Using the toolkit (which is out of date now and has open market value of £115,000) the commuted sum we would require for 16 units would be £732,032. If we were to use actual market values we would arrive at a figure of £1,937,504. I feel that this would not be viable so we will ask for the figure of £732,032. This is calculated as follows:

47 units @ 35% = 16.45 (round down to 16)

OMV 115,000 x 77%	=	88,550
ACG 101,900 x 42%	=	42,798
88,550 - 42,798	=	45,752
45,752 x 16	=	£732,032

I have used the old ACG rates as new rates were not released when we received this application.

Housing would not wish to have "Golden Share" apartments in lieu of affordable housing on this site. These do not meet the needs of households on our housing register. There are currently 211 OAP households on our housing register requiring a social rent home in Abergavenny.

Nature Resources Wales (NRW) - We do not object to the application as submitted and provide you with our response below.

We note that the bat report submitted in support of the above application (Bat Roost Assessment & Emergency / Re-entry Surveys' prepared by WYG dated July 2018) has identified that bats were not using the application site. We therefore have no comments to make on the application as submitted.

Welsh Water - We would request that if you are minded to grant planning consent for the development that the conditions and advisory notes listed are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Glamorgan Gwent Archaeological Trust (GGAT) - It is our opinion as the professionally retained archaeological advisors to your Members that the applicant should be requested to commission the required archaeological work. Consequently, as the impact of the development will be a material consideration in the determination of the current planning application this should be deferred until a report on the archaeological evaluation has been submitted to your Members.

Abergavenny Civic Society - Provided the following observations:

- The Baker Street frontage needs improvement.
- The high stone wall, characteristic of the town, should also be extended beyond the car park access, giving some definition to the Vine Cottage space.
- Alternate brick colours should be considered.
- Elevations would benefit from some stronger colour relief.

- Concern that will contribute towards affordable housing in the town.

Abergavenny Transition Town - Provided the following observations:

- The new Pre-App consultation process, while executed with energy, has not allowed a public exploration of strategic options, informed by local consultees (the aim of the new Pre-App legislation). Thus the process does not comply with best practice.
- The BECG public consultation report and the developer's summary letter demonstrate that there is virtually no evolution of the design following this local consultation (Dec 4th 2017). Most has occurred with MCC planners prior to the Pre-App consultations. Thus the process does not comply with best practice.
- The late-on resolution of site levels, once other site options were fixed, disadvantages many of the single-aspect north and east-facing apartments. The quantity, type and positioning of the car parking within the site should be challenged. If no change is made, then purchasers should be made fully aware in sales literature of this poor quality environment.
- It is a pity that the developers and their architects have not taken such an important site and scheme to the Design Commission for Wales review procedures. They should be requested to do so.
- Once other density and site planning options are opened up, then other resolutions of the building heights, the distribution of accommodation on the site, and issue of pitched or flat roof, can be more effectively and creatively engaged with.
- The site strategy isolates the scheme from linking spatially with Trinity Terrace on Baker Street, which would create better spatial continuity for Baker Street.
- More calmness and less frenetic mixing of materials should inform the choice of materials on the Tudor and Baker Street frontages.
- The developer's response to the issue of demands for affordable accommodation within the site, of making a financial contribution to affordable accommodation elsewhere in Abergavenny is impractical. If this private sector developer cannot provide it, who else can on a town centre site.
- On p.23 of the current draft Monmouthshire Well Being Plan, it states that the Public Service Board will focus on delivering the following solution; "Readdressing the supply and mix of housing stock to ensure suitable and affordable housing is available to all demographic groups." This scheme does not comply with that intention.
- We hope the full photographic record inside and out of the existing Magistrates Court and Police Station, recommended by the Historic assessment consultants Tryso, will be enacted comprehensively.

#### 4.2 Neighbour Notification

Two letters of objection have been received raising the following areas of concern:

- Fails to fit in with Monmouthshire's five year plan.
- Fails to meet the Safeguarding of Future Generations Act by discriminating against demographics other than older people
- It threatens to ghettoise the elderly and isolate them from the mixed-age population with all the social and cultural implications that has for society.
- The design itself is out of keeping with this rural area that overlooks not only the Grade II Listed Linda Vista Gardens, but also the River Usk, Bloreng Mountain and Sugar Loaf.
- The size and scale of the development is too large and too high for the plot size.
- It is overbearingly intrusive, spoiling the aspect both ways, spoiling the approach and the views including that from the river, and removes space currently enjoyed by the wide verges which afford an airy view.
- The proposals fail to offer affordable mixed-age housing.
- It is more than likely that an influx of elderly people from beyond Abergavenny would create an imbalance in the age of the population, increasing pressure on the already stretched NHS and social care providers.
- Buildings may contain asbestos.
- Lack of an environmental impact study that includes wildlife and bat protection measures.
- Added pressure on parking.
- A very ugly building however not as ugly as the present buildings.

Six letters of support have been received making the following observations:

- This is a one-time opportunity to get rid of the ugliest buildings and provide senior people with the opportunity to live in a convenient area with pleasant surroundings.
- Good idea to see retirement houses progressing.

## 5.0 EVALUATION

### 5.1 Principle of the proposed development

5.1.1 Abergavenny is designated within the adopted Local Development Plan (LDP) as a Main Town and has a defined development boundary around the settlement. This site falls within the development boundary for the town, "*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.*"

5.1.2 The first detailed consideration is the principle of the loss of the existing buildings (magistrates court and police station) which are both also subject to a concurrent Conservation Area (CA) Consent application. The buildings have been subject to limited external change since their construction, and are very much true to their era. However, neither structure makes a significant contribution to the character of the CA and their loss will not fail to preserve it. Therefore the loss is considered acceptable in principle, although their scale and mass is appropriate and as such any replacement building(s) would need to respect this. The design and visual impact of the replacement structures are to be discussed in the ensuing sections of this report.

5.1.3 Policy E1 seeks to safeguard against the loss of the loss of existing or allocated industrial and business sites or premises (classes B1, B2 and B8 of the Town and Country Planning Use Class Order 1987). However, in this instance the buildings to be lost which include a Magistrates Court (D1) and Police Station (Sui Generis) would not be covered by this Policy. Whilst it is acknowledged that the latter does provide a source of employment, under the buildings' current lawful use only Police staff could work there and there are already plans in place to relocate these Officers. Similarly Strategic Policy S5 (Community and Recreation Facilities) and DM Policy CRF1 (Retention of Existing Community Facilities) deal with the loss of community facilities. However, in this instance it is not considered that the Magistrates Court and Police Station would fall within the remit of these policies.

5.1.4 Therefore for the reasons detailed above the loss of the existing buildings, as well as their associated uses, and their replacement with new build residential use are considered to be acceptable in principle.

### 5.2 Design

5.2.1 The design solution has been subject to considerable negotiation and amendment that has included the Council's Heritage Manager and Urban Design Officer. Firstly, in terms of the scale and massing of the building, the single storey break on the principal elevation fronting Tudor Street provides welcome relief and provides clear distinction between two blocks. The site levels are to be reduced to allow for level pedestrian access onto Tudor Street. Whilst the main block is essentially four storeys, the upper floor is recessed and its darker finish would help to ensure that when read from street level the massing of the building is not excessive or indeed harmful to the character and appearance of the CA.

5.2.2 Prior to the introduction of the Magistrates Court Building in circa 1972-73, Tudor Street, comprised a row of terraced properties that were demolished in 1958. It was considered that the new replacement building should make reference to this built form, and as result a strong vertical emphasis has been introduced. Sections of different materials and different widths are considered appropriate to the setting, whilst there is active visual interest created by varying projections. The scheme has responded to some of the comments received from local interest groups and the introduction of coloured rendered sections. The Council agreed with the observations that the

original scheme was dark in colour and the revised plans provide a much improved solution. The introduction of yellow stock brick is a bold inclusion, and whereas it is often used within the town as a secondary, detailing feature, it is found more prominently near to the site on the gable of the attractive Trinity Terrace properties adjacent to the entrance of the public car park.

### 5.3 Affordable Housing

5.3.1 Policy S4 within the adopted LDP clearly sets out that in Main Towns and Rural Secondary Settlements as identified in Policy S1 development sites with a capacity for 5 or more dwellings will make provision (subject to appropriate viability assessment) for 35% of the total number of dwellings on the site to be affordable. Owing to the type of accommodation provided, apartments, a commuted sum based on 35% of the total units has been sought. The original sum based on 16 units saw a figure of £732,032 requested. The Council's Housing Officer confirmed that the Council would not wish to have "Golden Share" apartments in lieu of affordable housing on this site. These do not meet the needs of households on the Council's housing register. There are currently 211 OAP households on the housing register requiring a social rented home in Abergavenny. The requested sum has been subject to appropriate viability assessment which has in turn been referred by the Council to the District Valuer (DV). Following a period of negotiation a sum of £232,506 has been agreed upon as a viable figure that would be paid towards affordable housing in the local area in its entirety.

### 5.4 Highway Safety

5.4.1 The site proposes to retain the existing vehicular access directly onto Baker Street that would lead to an enlarged parking area. It is considered that the existing entrance, including associated visibility, is adequate in highway safety terms and does not require works to upgrade it to accommodate the introduction of the proposed residential units.

5.4.2 The site proposes a total of 47 units, which would consist of 23 single bedroom units and 24 two bedroom units, which would require a total of 71 parking spaces as per the guidance set out in the Council's adopted parking guidelines. Whilst the scheme proposes 39 parking spaces, there are considered to be a number of important material considerations that can justify the reduced number. Firstly, the site is located in very close walking distance to the town centre, the town itself is one of the more sustainable settlements in the County by virtue of its train and bus services. Moreover, one must also give weight to the nature of the accommodation for elderly persons, and evidence provided by the applicant in relation to other sites it has developed sets out that not all residents would have a private motor vehicle and would be even more unlikely to have two vehicles.

5.4.3 On balance, it is considered that there are reasonable grounds to accept a reduced off street parking provision for the aforementioned reasons.

### 5.5 Residential Amenity

5.5.1 The nearest residential properties to the development site would be the group of properties along Trinity Terrace immediately to the north and a smaller terrace of properties (23-29) along Baker Street which are situated to the North West. The replacement building is larger than that which exists, and the introduction of a residential use would also see a number of habitable windows positioned on the side (west) and rear (north) elevations. However, the closest part of the new building would be approximately 22m to both the front of the Baker Street properties as well as to the side boundary wall of No 18 Trinity Terrace. As a consequence, it is not considered that the introduction of a residential use via a larger building than those existing would cause unacceptable harm to local residential amenity and privacy. Therefore, the development is considered to meet the requirements of LDP Policy EP1 *Amenity and Environmental Protection*. Other considerations such as noise and air quality are to be considered separately later in this report.

5.5.2 A condition to agree samples of all external materials would be appropriate given the sensitive location of the new building on an important route into the town. A landscaping plan has also been provided which introduces a softer edge, particularly along the western elevation.

## 5.6 Ecology

5.6.1 Bat surveys have now been undertaken on the existing buildings to be demolished following concerns raised by the Council's own Ecologist and Natural Resources Wales (NRW). The survey concluded that no further investigative survey work is warranted and this has been accepted by both of the aforementioned parties. Enhancement features suggested by the Bat Survey have been incorporated as part of the landscaping plan for the site.

## 5.7 Noise

5.7.1 The applicant has undertaken a detailed noise survey and has liaised closely with the Council's Principal Environmental Health Officer (EHO). The findings have now satisfied the EHO's original concerns for potential noise impact on the proposed residential development from the existing joinery workshop located to the north-east of the site. The EHO has confirmed that there are no longer grounds to substantiate an objection from an EH perspective subject to use of a condition to ensure compliance with the submitted survey work.

## 5.8 Other Environmental Health Considerations

5.8.1 The applicant has submitted a Desktop Investigation in respect of contaminated land and a Site Investigation and Contamination Appraisal. This has shown evidence of inorganic and organic contaminants, as well as an underground fuel tank and interceptor. The Council's Specialist EHO has considered the findings of this report and is satisfied that subject to precautionary conditions, detailed at the end of this report, any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

5.8.2 Owing to the predicted traffic flow figures contained within the Transport Statement an Air Quality Assessment has not been requested. This would have been required had the annual average daily traffic (AADT) been increased by 100 vehicles.

## 5.9 Archaeology

5.9.1 An archaeological desk-based assessment has been undertaken in support of the application. The Council's professional advisors on such matters, Glamorgan Gwent Archaeological Trust, has requested further work is undertaken in accordance with the guidance set out in Planning Policy Wales (PPW). The applicant is to undertake this work; however, the application is presented to Planning Committee on the understanding that this information will be forthcoming and the application would not be determined until such time it has been received and GGAT are satisfied with the information.

## 5.10 Response to the Representations of the Town Council

5.10.1 A number of the concerns raised by the Town Council in respect of the original plans have been addressed in the prior sections of this report, in particular their concern about the dark appearance of the plans, as first submitted. The point made in respect of the design solution restricting natural light is noted, but the principal elevation of the building is south facing and it is considered that the passive solar gains achieved would not fail the criteria detailed in Policy DES1 as suggested.

5.10.2 In addition to the comments made by the Town Council both the Civic Society and the Transition Town team have both provided detailed and constructive observations. A number of these have been accounted for in the revised plans; in reference to the the retention of the existing access/parking locations there are not considered any reasonable planning grounds to resist this or seek a wider redesign of the layout. It is welcomed that the scheme now would provide a



financial contribution towards local affordable housing, a point that was correctly highlighted through a number of consultation responses.

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

5.11.1 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.

### **6.0 RECOMMENDATION: APPROVE**

Subject to a 106 Legal Agreement requiring the following:

#### S106 Heads of Terms

Offsite contribution of £232,506 towards affordable housing in the local area.

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 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.

4 No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to occupation of the development and no further foul water, surface water and land drainage shall be allowed directly or indirectly with the public sewerage system.

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

5 The development shall be carried out strictly in accordance with the actions detailed within The McCarthy & Stone, Demolition & Construction Traffic Management Statement Revision A.

REASON: To ensure compliance with the approved document and to safeguard local residential amenity and highway safety.

6 An asbestos survey is to be undertaken prior to demolition works. The report and proposed asbestos removal plan shall be submitted to and agreed in writing by the Local Planning Authority prior to any demolition works commencing. All works shall be carried out strictly in accordance with the approved details.

REASON: In the interest of Public Health and Safety.

7 All façade glazing shall be undertaken in accordance with the recommendations of WYG Noise Assessment November 2017 prior to first occupation of the residential accommodation. The glazing type shall be retained in perpetuity.

REASON: To safeguard the amenity interests of the occupiers of the occupants hereby approved.

8 Details of the ventilation strategy for the residential accommodation, meeting the recommendations of WYG Noise Assessment November 2017, shall be submitted to and approved in writing by the Local Planning Authority and then undertaken prior to first occupation. The approved details shall be retained in perpetuity.

REASON: To safeguard the amenity interests of the occupiers of the occupants hereby approved.

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

- a) If potential contamination is identified then an appropriate intrusive site investigation shall be undertaken and a Site Investigation Report to BS 10175:2011, containing the results of any intrusive investigation, shall be submitted and approved in writing by the Local Planning Authority.
- b) 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:

- c) 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.
- d) 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.

10 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. 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.

11 Notwithstanding the provisions of Article 3, Schedule 2, Part 2 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 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: In the interests of visual amenity and to safeguard the appearance of the area.

12 No development shall take place until full details of hard landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall be carried out prior to the occupation of the approved development and retained in perpetuity.

REASON: To ensure the long term maintenance of the landscape amenities of the area.

13 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.

## **INFORMATIVES**

1 Any person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a copy of any notice of the decision to grant it, in accordance with Schedule 5B to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended and Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning (Wales) Act 2015.

2 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](http://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.

3 Site investigation/risk assessment procedures should be undertaken by the developer in accordance with CLR11 "Model Procedures for the Management of Land Contamination" available from:  
<http://publications.environment-agency.gov.uk/pdf/SCHO0804BIBR-e-e.pdf>

You may wish to make the applicant aware of the guidance document from the South East Wales Land Contamination Working Group "The Development of Potentially Contaminated Land" which is available from Monmouthshire County Councils Website.  
<http://www.monmouthshire.gov.uk/home/for-businesses/advice-and-legislation/environmental-health-and-pollution/pollution/contaminated-land/>