

**Application Number:** DM/2018/01984

**Proposal:** Erection of two detached, three-storey houses with integral garage, including access to highway, car parking and other associated works.

**Address:** Land Adjacent Severn Crescent, Chepstow NP16 5EA

**Applicant:** Mr Gary Thomas

**Plans:** Location Plan 708/01 - A, Block Plan 708/02 - A,

## **RECOMMENDATION: APPROVE**

Case Officer: Mrs Helen Hinton

Date Valid: 16.04.2019

**This application is presented to Planning Committee following the receipt of five or more public objections**

### **1.0 APPLICATION DETAILS**

1.1 This application was considered at the meeting of Committee held on 28 May 2019 where Members agreed to the applicant's request to defer the application to enable the issue of the financial viability to be considered, having regard to the standard policy approach to request a financial contribution to the provision of affordable housing in the area. This issue is considered in section 6.3.1 below.

1.2 Full planning permission is sought for the development of two dwellings on land adjacent to 58 Severn Crescent, Chepstow.

1.3 The plans submitted detail the development of a pair of detached dwellings, each measuring 7.5m wide, 10m deep. Due to the topography of the plot the eastern (front) elevation would be three storey in design with a maximum ridge height of 11.2m falling to 7.7m at eaves level. The western (rear) elevation would be two storeys with a maximum height of 8.6m falling to 5.0m at eaves level. Internally the accommodation would comprise a ground floor garage, utility room, storage, w.c. and hallway with an open plan kitchen-diner and living room at first floor level and 4 bedrooms a bathroom and en-suite at second floor level. Externally the dwellings would be finished with facing brickwork at ground and first floor level with dark grey coloured cedar cladding above, artificial slate or concrete interlocking roof tiles and uPVC framed windows and doors.

1.4 The dwellings would be positioned approximately 2.6m to the south of conservatory adjoining the southern (side) elevation of number 58 and 8m to the rear of the back edge of the vehicular access adjacent to the eastern boundary of the plot. Three parking spaces per dwelling would be provided to the front of each property. The plans also detail the extension of the 1.8m footway across the width of the site. A distance of 5m would be maintained between the rear elevation of the proposed dwelling and the western boundary of the plot.

### Site Appraisal

1.5 The application site comprises a roughly square shaped plot measuring at its greatest 26m wide and 28m wide, positioned at the southern end of Severn Crescent. Although the site does not form part of any existing residential curtilage, it does have the appearance of a maintained domestic space with the area largely laid to lawn with various hedges, trees, a car port and various outbuildings provided within the plot.

1.6 The plot and wider area are positioned on a gradient that falls from west to east. The site is therefore set on the same gradient as number 58 to the north, is below the level of the woodland and wider amenity area to the west and is raised in relation to the residential properties 64-68 Severn Crescent and numbers 1-4 Rockwood Cottages to the north-east and south-east respectively. The land directly to the east of the site is currently undeveloped.

1.7 The dwellings closest to the site are two storeys in height, predominantly finished with rendered elevations, concrete tiled roofs and with a number of front facing gables features evident. Rockwood Cottages are more traditional, brick-faced dwellings.

1.8 The access adjacent to the eastern boundary of the site is private with a twin-tyre track finish.

1.9 The Proposals Map of the Local Development Plan identifies that the site is located within the defined development boundary of Chepstow and forms part of an Area of Amenity Importance in accordance with Policy DES2. The woodland immediately adjacent to the west (rear) is defined by the Woodland Trust as being Ancient Semi Natural Woodland and benefits from protection via a Tree Preservation Order.

## **2.0 RELEVANT PLANNING HISTORY (if any)**

None

## **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

SD4 LDP Sustainable Drainage

GI1 LDP Green Infrastructure

NE1 LDP Nature Conservation and Development

EP1 LDP Amenity and Environmental Protection

EP5 LDP Foul Sewage Disposal

MV1 LDP Proposed Developments and Highway Considerations

DES1 LDP General Design Considerations

DES2 LDP Areas of Amenity Importance

## **4.0 NATIONAL PLANNING POLICY**

### **Planning Policy Wales (PPW) Edition 10**

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 as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places that are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the

conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

## **5.0 REPRESENTATIONS**

### **5.1     Consultation Replies**

**Chepstow Town Council** - No response received to date.

**MCC Affordable Housing** - A commuted sum of £61,299 toward the provision of affordable housing in the wider County is requested.

**MCC Highways** - raise no objection subject to conditions.

**Environmental Health** - no objections.

**Coed Cadw/ The Woodland Trust** - Objects to the proposed development on the grounds of potential damage and disturbance to an area of woodland (at grid reference: ST5355293158) designated as both an Ancient Semi-Natural Woodland (ASNW) and a Restored Ancient Woodland Site (RAWS) on Natural Resources Wales' Ancient Woodland Inventory.

**MCC Tree Officer** - Having visited the site in my opinion there will be minimal if any effect on the trees in the woodland. A protective fencing condition should be applied to any grant of consent to separate the wood from the development.

**MCC Biodiversity** - Based on the location including the proximity of the protected (TPO) woodland a preliminary ecological assessment should be submitted to inform the planning application. Reptiles may also require consideration. (Subsequent response) Sufficient information has been received to allow for a lawful planning decision. The extended phase one ecological survey has identified potential impacts on birds, reptiles and bats as a result of the proposals. A number of conditions are recommended.

**Dwr Cymru/ Welsh Water** - advice provided concerning the location of apparatus.

**Wales and West Utilities** - advice provided concerning the location of apparatus.

### **5.2     Neighbour Notification**

The application has been advertised by direct neighbour notification and the erection of a site notice. Seventeen letters of representation have been received and are summarised as follows:

Design of the dwellings does not blend and they are considered out of keeping.

Extensive use of glass in the front elevation will lead to increased overlooking and loss of privacy, detrimental to amenity.

Dwellings are too large and too tall for the plot and area and will have an overbearing impact on existing properties.

Development will lead to increased overshadowing and loss of light.

Development is within an AAI [sic] boundary and will set a detrimental precedence. Consent was refused on Hughes Crescent for the same reason.

Chepstow is already gridlocked with traffic with many new developments approved or proposed adding to the congestion. Severn Crescent is a busy street of limited width and extensive on street parking which reduces the width to single carriageway. This leads to congestion and increased waiting time whilst the highway clears. The development would add to this.

Increased use of the existing private and unmade track will be detrimental to safety and amenity. Any increased damage to the surface will need to be repaired at the developer's expense

Proposal will result in loss of habitat for birds and wild life

Concerns regarding loss of green space

An oak tree to the west leans over the site

Concerns regarding the capacity and access to foul water drainage causing disruption to residents.

Gas supply for wider area crosses part of the site.

Concerns regarding landownership, right of access and whether the boundaries of the site are correctly identified

Rockwood Cottages retain right of access of the land.

## **6.0 EVALUATION**

### **6.1 Strategic & Spatial Choices**

#### Principle of Development

6.1.1 The application seeks full planning permission for the development of two detached dwellings on land to the south of Severn Crescent, Chepstow. The Proposals Map of the Monmouthshire County Council Local Development Plan (LDP) identifies the site as forming part of an Area of Amenity Importance and located within the settlement boundary of Chepstow as identified by the LDP. Policies S1 and H1 presume in favour of new residential developments in such locations. As a result the principle of developing the site for residential purposes is considered acceptable and appropriate relative to the context, subject to the application satisfying a number of material considerations.

#### Good Design/ Place making

6.1.2 Following public consultation considerable concerns have been raised with regards to the mass, size, scale and design of the proposal.

6.1.3 In the first instance, despite being positioned on sloping land, it is considered that the site is capable of accommodating two dwellings of the size proposed, with adequate off street parking and sufficient and proportionate amenity space proposed without appearing as overdevelopment.

6.1.4 Based on the plans submitted, the dwellings would follow the building line established by 56 and 58 Severn Crescent. Although larger than the dwellings in the area, the reduced slab level results in the ridge and eaves height of the proposed dwellings being approximately 1.4 and 1.6m higher than those of number 58. Whilst the east to west ridge line, would be perpendicular to the principal ridge lines of numbers 56, 58, 64, 66 and 68, it is considered that the front facing gable proposed replicates the gable features and design evident in the wider area. Being mindful of the plots position at the southern end of Severn Crescent, off the main thoroughfare, it is considered that site is capable of accommodating a slightly larger and taller development that would in essence 'book end' the street. Although the land to the south of the site is within the town's development limits and could in theory be brought forward for development, it is more tightly constrained by the DES2 allocation and Tree Preservation Order.

6.1.5 Although the three storey front elevation would appear substantial and would vary in design relative to the dwelling closest to the site, in terms of fenestration design, arrangement and proportions, given the 6m fall across the site from west to east, the architect has chosen to maximise the use of the topography by reducing the slab level and by providing an integral/

undercroft style garage. Although the windows in the front elevation are large it is noted that they maximise opportunities for solar gain and views from the site. Again being mindful of the relatively screened position of the site at the end of the crescent, away from the main public vantage points and thoroughfares, it is considered that the design of the dwellings proposed would not be significantly detrimental to the overall character and appearance to warrant refusal of the application.

6.1.6 Despite the details specified, a condition requiring the submission of samples of all external materials should be applied to any grant of consent to ensure a satisfactory finish to the development.

6.1.7 While the proposed dwellings would be taller, wider and vary in design to the dwellings within the immediate context, being mindful of the location at the end of the Crescent, it is considered that the development would provide an acceptable end to the street and would not be so detrimental to the overall character and appearance of the area to warrant refusal of the application. The application is therefore considered compliant with the requirements of policies S17 and DES1 of the LDP.

## 6.2 Impact on Amenity

6.2.1 As specified above, the application site forms part of a designated Area of Amenity Importance (Policy DES2 refers). The policy identifies that development in such areas will be permitted providing the application satisfies a number of criteria. At the time of inspection it was noted that the proposed plot has the appearance of a domestic space that contributes little to the wider DES2 allocation which has an intrinsic character of being undeveloped woodland to the west and south of the site. Furthermore the general public do not have a right of access to cross or use the land. Being mindful of these factors and the close proximity of the site to the built form of the area, it is considered that the development of the land would not erode or be so detrimental to the use of the wider allocation to warrant refusal of the application on such grounds.

6.2.2 During the public consultation process, concerns have been raised with regards to the detrimental impact on amenity as a result of increased overshadowing, loss of light, increased overlooking, loss of privacy and the overbearing nature of the development.

6.2.3 The position and proximity of the dwellings to the south of number 58 will inevitably generate increased overshadowing and loss of light to a conservatory that adjoins the southern (side) elevation of the property during the late morning and early afternoon. However, as the proposed dwellings would follow the building line established by number 58 and would project marginally (1m) beyond the rear elevation, it is considered that the primary accommodation and amenity space would not experience an unacceptable increased level of overshadowing. No windows are proposed in the northern elevation, overlooking number 58.

6.2.4 Whilst the land immediately to the east (front) of the site is undeveloped there are dwellings to the north-east. As such it is possible that the development could generate increased overlooking. However, this is mitigated due to: the raised height of the proposed accommodation; the reduced slab level of number 64, which would result in the principal view from the proposed dwelling being of the first floor and roof level of number 64; the existing front to front arrangement of number 64 with number 58 which already compromises privacy, and the maintenance of approximately 22m between the proposed development and number 64. It is considered that any increased overlooking generated would not be unacceptable in this context.

6.2.5 One of the objectors has identified that they have an allotment on the land to the east (front) of the site and that the development would result in increased overlooking and overbearing impact. Based on the maps of the area it is noted that a minimum distance of 24m would be maintained between the front of the proposed dwellings and the approximate position of the allotment. Given the maintenance of a hedgerow on the land to the east of the site, the fall of the land down towards the allotments and the distances maintained, it is considered that the development would not comprise or detrimentally affect the use of the allotment.

6.2.6 On the basis of the above, it is considered that the development proposed would not have a significantly detrimental impact on the residential amenity of those living closest to site. Although the development would be developed on an Area of Amenity Importance, given the maintained appearance of the land relative to the intrinsic character of the woodland (which forms the remainder of the allocation) the lack of pedestrian access and use of the site as well as its close position relative to the existing building form, it is considered that the proposal would not be significantly detrimental to the protection of the wider allocation or the residential amenity of those living closest to the site and is compliant with the requirements of policies S17, DES1, DES2 and EP1 of the LDP.

### **6.3 Active and Social Places**

#### Affordable housing

6.3.1 Policy S4 of the LDP identifies that in the Chepstow area development sites with a capacity for 5 or more dwellings will make provision for at least 35% of the total number of dwellings on the site to be affordable. In this instance it is considered that the site is only capable of providing two additional dwellings. As the site has a capacity below the thresholds set out, the developer would be required to make a financial contribution towards the provision of affordable housing in the local planning authority area. Following consultation the Affordable Housing Officer has requested a commuted sum contribution of £61,299.

6.3.2 The applicant has since submitted a viability appraisal of the development and officers have considered the proposals against a contribution for two dwellings. Unfortunately, the appraisal has evidenced that the scheme would not be viable for the development to provide any financial contribution towards affordable housing. The information submitted by the applicant has been scrutinised by the Officers and it has been concluded that this particular site is not able to provide a financial contribution towards affordable housing.

6.3.3 It is a basic principle of Local Development Plan Policy S4 that all residential developments (including at the scale of a single dwelling) should contribute to the provision of affordable housing in the local planning area although this is subject to the viability of each individual scheme. It is worth noting that the Council is currently conducting a consultation exercise on a revised Supplementary Planning Guidance (SPG) for Affordable Housing that takes account of updated evidence and to provide clarity on key elements of the SPG. Given that a full viability appraisal of the development has concluded that a financial requirement is not viable for this particular development it is recommended that the application is approved (subject to the conditions outlined in the report below) without any requirement for a financial affordable housing contribution.

#### Housing/ Transport - sustainable transport issues (Sustainable Transport Hierarchy)

6.3.4 Whilst access to the development is likely to be via car, it is noted that the development is located within the defined development boundary of Chepstow which benefits from good public transport connections, services and facilities within walking and cycling distance of the site. The locations should help reduce the number and impacts of car journeys associated. On the basis of the above the application is considered compliant with the requirements of policies S17 and MV1 of the LDP.

#### Access / Highway Safety

6.3.5 During the consultation process, numerous concerns have been raised with regards to the access to the site which would be via a private lane leading off Severn Crescent. A number of objectors have identified that they have partial ownership and right of access of the lane. As a result of the comments, the red line of the application site has been amended to adjoin with the public highway; landownership Certificate B has been provided; and notice served on all parties with an interest in the land.

6.3.6 The lane immediately adjacent to the site over which access would be gained is currently unmade, is of limited width and lacks segregated pedestrian facilities. The plans submitted indicate

that the existing pavement to the north of the site would be extended across the front of the plot with six parking spaces then provided within the plot.

6.3.7 Following consultation, Highways have raised no objection to the application noting the number of spaces, use of permeable block paving and extension of the footway is acceptable. However, being mindful of the existing limited width of Severn Crescent resulting from existing on-street parking pressures, a Construction Traffic Method Statement should be sought by condition.

6.3.8 It is acknowledged that the level of on-street parking along Severn Crescent inhibits the free flow of traffic, but given the parking provision proposed it is considered that the development would not exacerbate this matter further. On balance, the highway network within the immediate and wider area has capacity to accommodate the limited increase in traffic movements that would be generated by the proposal. Although objectors have requested clarification with regard to responsibilities for repairs to the surface of the private driveway, this would be a private legal matter which the Council cannot take into account.

6.3.8 On the basis of the above, subject to the imposition of conditions, the application is considered compliant with the requirements of policies S16 and MV1 of the LDP.

## **6.4 Distinctive & Natural Places**

### Landscape/ Visual Impact

6.4.1 The dwellings indicated would be taller and wider than many in the immediate vicinity. However, being mindful of the size of the plot, its relatively screened position at the end of Severn Crescent, and the woodland backdrop behind, it is considered that the scheme would not result in overdevelopment of the plot and would not introduce a design detrimental to the wider landscape and visual amenity. The application is therefore considered compliant with the requirements of policies S13 and DES1 of the LDP.

### Green Infrastructure and Biodiversity

6.4.2 Although the site forms part of the wider Area of Amenity Importance, the site has a domestic and maintained appearance. There are semi-mature trees and shrubs on site but these do not form part of the Tree Preservation Order which covers the area to the west (rear) of the site.

6.4.3 Coed Cadw/ The Woodland Trust have raised an objection to proposal citing the potential damage and disturbance to an area of woodland designated as both an Ancient Semi-Natural Woodland (ASNW) and a Restored Ancient Woodland Site (RAWS) on Natural Resources Wales' Ancient Woodland Inventory. Following consultation the Council's Tree Officer has raised no objection and provided the following response:

"In my opinion there will be minimal if any effect on the trees in the woodland. However a protective fencing condition should be applied to any grant of consent to separate the wood from the development."

6.4.4 Although the gardens of the proposed dwelling would be immediately adjacent to the woodland it is noted that a minimum distance of 5m would be maintained between the proposed dwelling and the boundary of the woodland, with no works to take place within the root or canopy protection zone of any tree. Subject to the imposition of a condition relating to tree protection and an enhanced landscaping plan condition to accurately indicate the position of trees and the root protection zone of the trees within 2m of the western and southern boundaries, it is considered the development proposed would not have a detrimental impact on the long term viability of the woodland or on the green infrastructure of the wider area.

6.4.5 Following concerns from the Council's Ecologist, an enhanced ecological appraisal report of the site has been submitted for consideration. The following response has been received:

"The assessment has identified potential impacts on birds, reptiles and bats as a result of the proposals. In order to safeguard reptiles, a reptile mitigation strategy will be necessary prior to the commencement of any ground clearance on site, this includes land within the blue line boundary (to the east of the site). Nesting birds are a consideration, a condition which secures timings or bird survey prior to clearance works is requested. Given the loss of nesting habitat, provision for birds should be incorporated into the proposals. The site is in close proximity to woodland and as such there are further potential impacts on foraging/commuting bats if lighting is not secured."

6.4.6 A number of conditions with regards to the above matters are recommended and considered necessary given the ecological sensitivity and woodland setting to the west of the site. Subject to the imposition of these conditions the application is considered compliant with the requirements of policies S13, GI1 and NE1 of the LDP.

#### 6.5 Water (including foul drainage / SuDS)

6.5.1 The details submitted as part of the application indicate that foul water from the development would be connected to the existing mains sewer. As the application was received and initially made valid prior to 7th January 2019, there is no requirement for the applicant to apply for Sustainable Urban Drainage approval. However, given the lack of detailed information with regards to surface water disposal and Dwr Cymru/ Welsh Water's policy to remove such flow out of the combined system, a condition requiring drainage details to be submitted and approved prior to the commencement of development, is considered reasonable and necessary. Subject to the imposition of such a condition the application is considered compliant with the requirements of policies SD4 and EP5 of the LDP.

### **6.6 Response to the Representations of Third Parties**

6.6.1 As outlined above the application has been the subject of 17 letters of representation which raise the following concerns:

Landownership, right of access, boundaries of the site and damage to private land

6.6.2 As part of the application, the red line of development has been extended to the public highway; landownership certificate B completed and notice served on the relevant land owners. These measures are considered sufficient to allow for the determination of the application. However, the granting of planning permission does not supersede landownership rights or overcome covenants which may in turn result in the proposal being undevelopable. Overcoming such matters and repair of any damage caused to private land would be a civil matter within which the Council could not become involved. Should it become apparent that the site is not capable of being developed in its current form a new application or Section 73 application to amend any approved plans could be submitted for consideration.

Congestion and highway safety

6.6.3 Although the flow of traffic along the immediate highway network is restricted by existing on-street parking arrangements, the plans submitted detail the development of six off street parking spaces. It is therefore considered that the proposal would not exacerbate this existing arrangement and that sufficient space would be retained to the east (front) of the site to allow all vehicles to turn and access the adopted highway in a forward gear.

6.6.4 While Chepstow can experience high levels of traffic congestion, the proposed development would be sited within walking and cycling distance of the town centre that contains a variety of goods, services and public transport options, thereby reducing the need to travel by car. Furthermore it is considered that there is capacity within the network to accommodate the small increase in the number of vehicle movements generated by the proposal.

Design, size and scale of the dwellings being out of keeping with the area



6.6.5 Although the proposed dwellings would be taller, wider and of a slightly varied design to those immediately adjacent to the site, it is considered that the design has drawn inspiration from architectural features within the immediate vicinity. Being mindful of the relatively discreet position of the site at the southern end of Severn Crescent, the maintenance of the building line and use of appropriate materials, it is considered that the development would not be significantly detrimental to the overall character and appearance of the area.

Design leading to increased overlooking and loss of privacy increased overshadowing and loss of light, detrimental to amenity

6.6.6 This has been addressed in section 6.2 above.

Capacity and access to foul water drainage

6.6.7 Following consultation, Dwr Cymru/ Welsh Water have raised no objection to the application subject to a condition preventing surface water from entering the system. It is recommended that a condition requiring full drainage details is submitted and approved. Access and connection to the public sewerage system will require a separate Section 106 agreement under the Water Industry Act 1991, and the agreement of the adjacent landowner prior to such works taking place. Such matters are outside of the control of the planning authority.

Gas supply for wider area crosses part of the site.

6.6.8 The provision of services beneath a site does not prevent the granting of planning permission. However, neither does it supersede rights with regards to such the apparatus. Should it become apparent that the site is not capable of being developed in its current form due to the location of apparatus under the site the applicant would either need to pay for a diversion of the service or submit a new application for planning permission or a Section 73 application to amend any approved plans.

Loss of habitat for birds and wild life, green space and existing constraints generated by trees to the west of the site

6.6.9 Following the submission of an extended ecological appraisal, the Council's Ecologist has confirmed that sufficient information has been submitted to allow for the lawful determination of the application. Although the development would result in the loss of habitat and green space, given the maintained and domestic nature of the site, it is considered that such loss can be appropriately mitigated through the implementation of conditions. Furthermore subject to the installation of appropriately designed and sited tree protection fencing, it is considered that the development would not have a detrimental impact on the long term viability or protected status of the adjacent woodland.

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

6.7.1 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.

## **6.8 Conclusion**

6.8.1 Although the application proposes the development of two dwellings on the site of a slightly larger size, scale and design to those in the immediate area, it is considered that the development would not be detrimental to the overall character, appearance or amenity to warrant refusal of the application. It is also considered that subject to conditions, the development would not have a

detrimental impact on the highway safety and free flow of traffic in the area or the green infrastructure and biodiversity value of the area.

6.8.2 The application is considered compliant with the relevant policies of the Local Development Plan and is recommended for approval subject to 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 Notwithstanding the details of the approved plans, details and 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 No development is to take place until the local planning authority has received and agreed in writing a method of protective fencing to separate the woodland from the proposed development. The fencing shall be in accordance with the guidelines within British Standard 5837:2012 - Trees in relation to Design, Demolition and Construction Recommendations. The development shall only proceed in accordance with the approved details. All protective fencing shall be retained and maintained on site until such a time that all construction and development works including landscaping have been ceased.

REASON: To ensure the protection from harm of a protected woodland in accordance with Policy S13 - Landscape, Green Infrastructure and the Natural Environment.

5 Prior to any works commencing on site, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the LPA. This Plan shall include traffic management measures, hours of working, measure to control dust, noise and construction related nuisances and measures required to protect adjoining users from the construction works. The development proposal shall be carried out in accordance with the approved CTMP.

REASON: To ensure that the development is carried out in a safe and considerate manner in accordance with the requirements of policies MV1, DES1 and EP1 of the LDP.

6 No development or site/vegetation clearance of land within site ownership as illustrated on plan "ref. 708.01A Site Location Plan dated November 2018 produced by Gareth Price Architect" shall take place until a detailed reptile mitigation strategy has been prepared by a competent ecologist. Details shall build upon the recommendations set out in the submitted Report: "EXTENDED PHASE ONE ECOLOGY SURVEY Land at Severn Crescent, Chepstow Dated April 2019 produced by Ecological Services Ltd" and shall include a methodology for the capture and translocation of reptiles with details of the receptor site if necessary and submitted for the approval of the Local Planning Authority. The approved measures shall be strictly complied with.

REASON: Safeguarding of priority species during construction works LDP policy NE1 and the Section 7 of the Environment Act (Wales) 2016.

7 No removal of hedgerows, trees or shrubs brambles, ivy and other climbing plants or works to or demolition of structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) in accordance with policy NE1 of the LDP.

8 Compensatory nesting bird provision shall be provided in accordance with Section 4 Recommendations and Mitigation of the submitted report "EXTENDED PHASE ONE ECOLOGY SURVEY Land at Severn Crescent, Chepstow Dated April 2019 produced by Ecological Services Ltd"

REASON: To mitigate for loss of habitat in accordance with LDP Policy NE1 and Environment Act (Wales) 2016.

9 Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be attached to the buildings or be positioned in the curtilage so as to illuminate the western or southern boundary of the development site.

Reason: To safeguard roosting and/or foraging/commuting habitat in accordance with Environment (Wales) Act 2016, the Conservation of Habitats and Species Regulations 2010 and policy NE1 of the LDP.

10 No development shall take place until a scheme of foul drainage and surface water drainage has been submitted to, and approved by, the Local Planning Authority and the approved scheme shall be completed before the building(s) is/are first occupied.

REASON: To ensure satisfactory facilities are available for disposal of foul and surface water and to ensure compliance with LDP Policy EP5.

11 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include:  
Indications of all existing trees and hedgerows on the land and within 2m of the western and southern boundary;  
Details of any to be trees and hedgerows to be retained,  
Measures for the protection of all trees during the course of the development;  
Details of all proposed external hard landscaping finishes; boundary treatment and retaining walls.

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

12 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 GI1.

## **INFORMATIVES**

1        Although Network Rail offer no objection in principle, they also offer 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. The application should be discussed with Network Rail prior to commencement.