

Application Number: DC/2013/01071

Proposal: Proposed commercial development comprising two A1 retail units (Retail Unit 1 (668.90 sq. m gross) Retail Unit 2 (594.58 sq. m gross) both to be occupied by a bulky goods retailer A1 retail) and a Class A3 public house/restaurant with ancillary accommodation, associated car parking, servicing, access and landscaping

Address: Land for proposed commercial development att Dixton Road, Monmouth

Applicant: Avenbury Ventures LLP

Plans: Elevations - Proposed 5424/05 Retail Unit 1 Elevations as Proposed - M, Elevations - Proposed 5424/06 Retail Unit 2 Elevations as Proposed - O, Floor Plans - Proposed 5424/07 Retail Unit 2 Floor Plans as Proposed - J, Floor Plans - Proposed 5424/08 Retail Unit 1 Floor Plans as Proposed - I, Technical Details 5424/09 Technical details cladding, eaves and opening reveals - , Other 5424/10 Site Locations and Layouts - C, Other SHF.1254.001.L.D.001 Topography and Drainage Plan - , Other SHF.1254.001.L.D.002 PROW and Access Plan - , Landscaping Plan SHF.1254.001.L.D.006 CCW Landscape character plan Cultural Aspect - , Landscaping Plan SHF.1254.001.L.D.007 CCW Landscape character plan Geological Aspect - , Landscaping Plan SHF.1254.001.L.D.002 ZTV to Roof Height - , Landscaping Plan SHF.1254.001.L.D.003 Landscape Constraints Policy Plan - , Landscaping Plan SHF.1254.001.L.D.004 Visual Constraints Plan - , Landscaping Plan SHF.1254.001.L.D.009 CCW Landscape character plan landscape habitats - , Landscaping Plan SHF.1254.001.L.D.0010 CCW Landscape character plan visual and sensory aspects - , Landscaping Plan SHF.1254.001.L.R.001 LVIA Dixton Road Monmouth - V2, Landscaping Plan SHF.1254.001.L.D.026 Landscape Strategy - , Other SHF.1254.001.L.D.011 Viewpoint Location Plan - , Tree Protection Plan Avenbury Ventures Tree Protection Plan - , Other Geo Environmental Appraisal December 2013 - , Other Planning and Retail Assessment Peacock and Smith July 2017 - , Other Air Quality Assessment December 2015 - , Transport Assessment Connect Consultants Transport Assessment July 2017 - Update Note 1, Transport Assessment Connect Consultants Transport Assessment July 2017 - Update Note 1 Appendix 2, Other Dixton Road Arboricultural Implications Assessment Dec 2013 - , FCA Avenbury Ventures LLP ,Dixton Road, Monmouth, Flood Consequences Assessment, January 2018 - , Ecology Report Pure Ecology, Dixton Road, Monmouth Ecological Appraisal Report dated October 2017 - , Design and Access Statement Design and Access Statement NWD Architects July 2017 - , All Proposed Plans 3135 P205b Revised Ground Floor Plans PH - b, Site Plan 5424/01 Site Plan - ZP, Drainage Proposed Drainage Layout Surface Water Pumping Station, Fairhurst 97438/2020 - Rev D, Landscaping Plan The Landscape Concept Plan Drawing 02 - Rev H, External Lighting Proposed lighting plan entitled "external lighting layout", drawing No40272-Q0DA-00-00-DR-E-0901 - Rev P, Transport Assessment Drawing No. 5424/01 Site Plan and a Transport Assessment Update Note dated July 2017 - Rev ZP, All Proposed Plans 3135 P206b Revised First Floor and Roof Plans PH - b, Elevations - Proposed 3135 P207c Revised Proposed Elevations PH - c, Construction Details 3135 P209 Construction Sections PH - , Location Plan 5424/010 Ordnance Survey plan - A,

RECOMMENDATION: Refuse

Case Officer: Ms Jo Draper
Date Valid: 09.01.2015

1.0 APPLICATION DETAILS

1.1 The site sits on the north east edge of Monmouth, situated on the junction where Dixton Road, a minor arterial road leading north, meets the A40. The site is approximately 1km from the town centre. Dixton Road (A466) is a residential road and includes a number of large villa style houses (mostly 1930s and before). Immediately south of the site and along Dixton Road is the school playing fields and Monmouth Comprehensive School. To the north and east of the site is the A40. This is a busy duelled trunk road linking Newport to the M50 and carrying high volumes of commercial traffic. There are a few isolated residential properties north of the site (Dixton Road) and a veterinary surgery. Dixton Road provides the main route into Monmouth Town Centre from the north east. Open playing fields that serve Monmouth Comprehensive School form the south western boundary of the site. A small section of the western boundary sits adjacent to the residential property ('Humber Cot') on Dixton Road.

1.2 The application site extends to approximately 0.79 hectares (1.9 acres), is broadly triangular in shape and is relatively flat, although it does slope marginally to the south east corner. The application site forms an important, prominent gateway site into Monmouth from the north east.

1.3 The application site is not allocated for any purpose on the LDP Proposals Inset Map for Monmouth, but lies within the defined 'Settlement Development Boundary' for Monmouth. The north-eastern tip only of the site lies within the Dixton Conservation Area, to which Policy HE1 'Development in Conservation Areas' applies.

1.4 The site is understood to have been most recently occupied by a Victorian guest house named 'South View'. However, the building was demolished some years ago and the site has remained vacant and become overgrown since.

1.5 The site lies within a C1 Flood Zone.

1.6 The application site has an extensive history of commercial proposals and a number of planning applications submitted over the past 25 years. The planning history is as follows:

Outline planning application (LPA ref: A30727) for the erection of a 40-bed hotel was granted in September 1989;

Outline planning application (LPA ref: 32798) for the construction of a drive-thru restaurant, petrol filling station and 40-bed hotel was refused in November 1990;

Outline planning application (LPA ref: 32799) for the construction of a drive-thru restaurant, petrol filling station and 40-bed hotel (duplicate of the refused application) was allowed at appeal on 24 May 1991;

Planning application (LPA ref: 35271/73) for the construction of a drive-thru restaurant including back-up and car park facilities was refused on 18 March 1993 and an appeal later withdrawn on 18 March 1993;

Reserved matters application (LPA ref: 37274) relating to outline permission ref: 32799 was granted on 03 August 1994;

Section 73 application (LPA ref: A37167) for the variation of Condition 1A attached to planning permission ref: 32799. This application sought an extension to the period for the submission of reserved matters and commencement of development, and was granted on 03 April 1996;

Full planning permission (LPA ref: A38766) for a petrol filling station, restaurant and 36-bed motel was granted on 03 April 1996;

Planning application (LPA ref: 38677), submitted in 1995, for the erection of a 1,934 sq. m gross food store was withdrawn by the applicant;

Planning application (LPA ref: M/6893), submitted in 1995, for the erection of a petrol filling station, restaurant and 36-bed hotel was withdrawn by the applicant;

1.7 The current application proposal is a result of extensive discussions with Local Planning Authority Officers following submission of the initial 2013 scheme. The original scheme proposed the following:

Commercial Development comprising Class A1 retail unit, Class A3 drive thru restaurant, Class A3 public house/ restaurant with ancillary accommodation associated car park servicing access and landscaping.

The current planning application seeks to address the concerns raised by the Council regarding the 2013 scheme. The current proposal is for a much less intensive development. The amount and form of development on the site has been significantly reduced. The current planning application is for the following:

-Retail Unit 1 - 7,200 sq. ft (668.90 sq. m) gross Class A1 retail unit to be occupied by a bulky goods retailer;

-Retail Unit 2 - 6,400 sq. ft (594.58 sq. m) gross Class A1 retail unit to be occupied by a bulky goods retailer;

A 6,200 sq. ft (576 sq. m) gross Class A3 family pub/restaurant (with ancillary manager's accommodation at first floor level), which would be operated by Marston's;

The two retail units are proposed to be set back from the roundabout in the south western section of the site. Retail Unit 2 will bound the A40 and Retail Unit 1 will bound Dixton Road. Landscaping and planting will be provided on all sides of the development but most substantially along the Dixton Road frontage and between the proposed development and the adjacent residential dwelling.

The siting of the Marston's pub/restaurant is proposed to remain unchanged for the 2013 planning application. It is proposed to be located in the north eastern section of the site immediately adjacent to the A40 roundabout. Landscaping is proposed along the northern and eastern boundaries of the building. Ancillary accommodation will be provided at first floor level of the Class A3 public house/restaurant, which will comprise a 3-bedroomed manager's flat along with a staff office area.

In addition, the following is proposed:

-Shared parking facilities for 87 cars, including 7 disabled spaces;

-'Sheffield' style cycle stands to cater for up to 12 cycles;

- New landscaping and boundary treatments;

1.8 In support of the application, the agent has stated that the development will deliver the following:

-There will be approximately 55 new employment opportunities comprising of the following:

Marston's pub/restaurant - 41 new jobs (21 full-time and 20 part-time positions)

Two retail units - approximately 14 new full-time jobs

-Provision of much needed economic development, which is clearly a high priority in both local and national planning policy;

-Provision of modern retail units capable of attracting national multiple bulky goods retailers, which are accessible to customers travelling by car when collecting heavy and cumbersome items;

-Creation of a family orientated public house / restaurant destination capable of attracting passing traffic and tourists;

-Provision of a destination capable of clawing back expenditure that currently leaks out of Monmouth to locations such as Hereford and Newport, thereby reducing the need to travel to obtain bulky retail goods, and facilitating linked trips between the application site and the town centre;

- Opportunities will be maximised to ensure that the scheme's energy efficiency is maximised;

1.9 Although the end occupiers of the two retail units are unknown at this stage, the agent has stated that it is anticipated that they will be taken up by bulky goods retailers. In the event the application was approved this would need to be secured through a planning condition restricting the type of goods that can be sold from the retail units, to align with the assumptions made in the retail impact assessment that forms Section 7 of this Statement. The applicant is willing to accept the following restriction:

"The Class A1 retail units hereby approved shall only be used for the sale of the following categories of comparison goods:

DIY and gardening products, electrical goods, furniture, carpets/floor coverings, and pets/pet supplies together with any ancillary products and for no other use (including any other uses falling within Class A1 of the Town and Country Planning (Use Classes) Order 1987 or any equivalent class contained in any statutory instrument which replaces it), without prior written approval of the Local Planning Authority".

1.10 The car parking proposed is to be provided internally within the site, off the main access road and a central mini-roundabout. A new access into the site is proposed off Dixon Road, which will be utilised by customers and delivery vehicles.

1.11 The application site is bound on three sides - north, south and east - by an existing strong landscape belt. This is outside of the red line of the application site and thus the control of the applicant. In the case of the north and east this is part of the trunk road and in the control of the Welsh Government. It is indicated in the strategy that measures will be employed to ensure the landscape belt's protection. In response to the Council's concerns that this cannot be relied upon to provide the landscape buffer and necessary landscaping to soften the site, the landscape strategy has delivered a scheme that provides an inner landscape belt on the inside of the boundary tree planting with buffer shrubs to help to direct viewpoints to the higher parts of the development. There is a 3m depth hedgerow proposed to wrap around the northern boundary to the front of the proposed public house/restaurant, to soften the built form along the approach on the A40. This would also serve to protect the conservation area to the north. The amenity area for the public house would be edged with ornamental planting whilst a line of trees, which is indicated in the strategy as being advanced plant stock, is proposed along the western boundary, framing the only vehicle and pedestrian access into the site.

1.12 The Design and Access Statement submitted in support of this proposal states the following:

a) A new site access is proposed to be located and constructed serving the entire site part way along Dixon Road. This access serves both service/delivery vehicles and the public.

b) The family pub/restaurant is proposed in a location facing the roundabout at the north-western end of the site. The traditional roof forms and materials minimise the impact of the development at this key location.

c) Retail unit 1 is proposed to be situated alongside the western boundary of the site, where it is massed in such a way as to reduce the frontage onto Dixon Road and appear consistent with the existing street scene. The existing lower level of the development site prevents this structure from being visually dominant. Careful attention has been paid to the design of this building to ensure

that the streetscape is respected and that the mass of the building is minimised by means of its roof form and use of a landscaping strip.

d) The parking has been distributed throughout the intervening space formed by the carefully positioned buildings. Landscaping and planting do much to break up and soften the hard surfaces.

e) The leaseholder tenants (for the Pub/restaurant) were set a clear design brief when selecting from their standard ranges of outlet designs. These were to be modified in terms of selection of facing materials to respect and reflect the character of the local area.

f) The retail units will have a pitched mansard type roof and have been designed to be architecturally attractive and have low maintenance requirements whilst providing accommodation suitable for a variety of retail uses. Careful attention has been given to the architectural treatment of the elevations facing Dixon Road in order to ensure that both the streetscape and surrounding context is respected in terms of massing and profile. The resulting design is a modern twist on the gables that mirror those of the residential properties on Dixon Road, with inspiration taken from the agricultural barns that are dotted throughout the surrounding area. The result is a series of buildings that are both sympathetic and complimentary to the surroundings, finished in a carefully selected palette of materials including timber cladding and render. The roof has been designed in such a way as to highlight the residential connection.

g) Both retail units are to be single units with a mezzanine. The maximum height of the buildings would be 9.9m.

h) The materials are simple with a predominant use of high quality cedar cladding with concealed fixings, fibre cement roofing and PPC aluminium windows and frames. The materials and details have been proven in use and selected for their high quality and low maintenance requirements.

i) In addition the retail unit will match the materials used on the other buildings in terms of cedar cladding and roof finishes. Generally the materials proposed across the site have been selected to blend and be in-keeping with those used in the local area.

j) The Family Pub/Restaurant would have a pitched roofs and be designed to be architecturally attractive and have low maintenance requirements commensurate with the typology of the building. The appearance of the pub restaurant uses a hierarchy of building elements and varied materials to create emphasis between the different elevational qualities on the building. The entrance facing Dixon Road, is clear and obvious to customers, with the glazed entrance porch 'halo' against the gable end providing additional emphasis. The pub restaurant includes an outdoor dining area to the north, facing towards Dixon Roundabout with planted boundary hedge and landscaping providing a sense of enclosure. A fenced garden with play area is located off the family dining area to the west, facing Dixon Road and adjacent to the main entrance.

k) Indicative signage has been shown on proposed elevation drawing - a separate application for consent to display application will be submitted.

l) The public house/restaurant building is designed to provide a strong visual statement that will appeal to passing trade on the A40, not familiar with the pub restaurant's location and yet provide external spaces around the building that are both enjoyable and attractive to customers' use without being overburdened by building form. This is a balance that creates appropriate scale for building users whilst creating drama to the external form and impact of the proposed development has been sought. The simple boarded finish is punctuated with an irregular array of window openings that creates a strong visual backdrop set behind the roundabout and presents a glazed portico set under the pitched gable facing eastwards onto the A40, a form that will be glimpsed through the trees planted along the highway boundary. Where the building abuts the family garden to the west, the scale of the building is reduced, but use of contrasting materials to those on adjacent forms, maintain a visual impact for these more diminutive forms.

m) The proposed materials of render, boarding, brick and contrasting roof finishes form elevations of domestic and human scale and embodies prompts from the existing architecture along Dixton Road with pitched slate roofs, rendered elevations and prominent chimney stacks and more modern materials associated with the retail development adjacent, profiled roofing timber cladding, curtain wall glazing.

2.0 RELEVANT PLANNING HISTORY (if any)

See Paragraph 1.6 above.

3.0 LOCAL DEVELOPMENT PLAN

POLICIES Strategic Policies

S6 LDP Retail Hierarchy
S7 LDP Infrastructure
Provision S8 LDP
Enterprise and Economy
S12 LDP Efficient Resource Use and Flood Risk
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S17 LDP Place Making and Design
S16 LDP Transport

Development Management Policies

SD4 LDP Sustainable
Drainage SD3 LDP Flood
Risk
HE1 LDP Development in Conservation
Areas RET4 LDP New Retail Proposals
LC4 LDP Wye Valley AONB
DES2 LDP Areas of Amenity Importance
EP1 LDP Amenity and Environmental
Protection EP3 LDP Lighting
NE1 LDP Nature Conservation and
Development GI1 LDP Green Infrastructure
MV1 LDP Proposed Developments and Highway
Considerations DES1 LDP General Design Considerations
DES3 LDP Advertisements

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 which 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

Monmouth Town Council: Recommends REFUSAL - Application not in accordance with the Adopted LDP (2014). Insufficient information supplied to make a decision on the merits of the planning application as there are no recent/accurate reports on out of town retail

development and its commercial viability; no study on the air quality assessment, the site is prominent in the entry to a conservation area with national trunk road traffic; there was no information included on employment rates, and the location encourages further use of the car, with limited public transport and no safe cycle route for the public/staff to access.

MCC Highways: The applicant has submitted an alternative layout reference Drawing No. 5424/01 Revision ZP Site Plan and a Transport Assessment Update Note dated July 2017 detailing the amendments.

The proposed amendments and particularly the removal of the fast food and coffee outlets will significantly reduce the traffic generation by way of short term car borne trip movements from Monmouth Town, the surrounding area and the A40 trunk road.

The amendments also reduce the parking requirements on site. The amended layout proposes 87 parking spaces of which 7 will be disabled that generally accords with the Council's adopted parking standards for non-operational parking. However the issue of operational parking particularly the servicing requirements for the public house still exist insofar as the servicing of the public house is still reliant on service vehicles utilising the car parking spaces to manoeuvre and in turn park in the car park access roads reducing and restricting access to available parking.

Traffic Impact / Junction

The Welsh Government in response to the earlier Transport Assessment dated December 2013 confirmed that the proposed development does not directly impact on the trunk road. The transport assessment update note table 4.0 submitted in support of the amended proposal clearly demonstrates that the vehicular trips generated by the amended proposal significantly reduces the traffic generation and its impact on the adjacent local roads and trunk road network.

Sustainable Transport

The proposed development is located on the periphery of the Town and although the scale and type of development has been changed its location is still unattractive for pedestrians and cyclists alike and will not discourage the use of the private car.

The amended layout proposes the provision of a footway along the northern boundary of the development with Dixon Road and promotes 2 individual crossing points to the northern footway on Dixon Road. Concern has been expressed regarding the isolated nature of the site on the periphery of the town and the need for pedestrians to cross Dixon Road. The provision of the footway and the provision of crossing points is welcomed and in this particular case following the removal of the fast food and coffee outlet the pedestrian trip generation would be significantly reduced precluding the need to provide controlled crossing facilities as the degree of conflict between pedestrian and vehicles and the available gaps in the traffic would not warrant the provision of a controlled crossing facility pursuant to Department for Transport Guidance TA68/96, LTN 1/95 & LTN 2/95H. However in order for the applicant to provide these facilities they will be required to enter into a S278 agreement with the highway authority for their provision.

The site is located on a number of bus routes that provide a reasonable level of accessibility based on the amended proposal and omission of the fast food and coffee outlets.

Surface Water Management

The site occupies a low lying position on the outskirts of the Town which has been subject to localised surface water flooding / ponding in the past, the cause of the ponding is undetermined but it is likely to have been a combination of local factors including the existing culverted watercourse outfall to the River Wye beneath the A40 being either blocked or flood locked.

Natural Resource Wales in their letter dated 21st September 2017 object to the application as the FCA has not satisfactorily addressed the flood risk and offered the following comments in respect of the Site Drainage and Diversion of watercourse, "any realignment, culverting or infilling of or discharge to the watercourse through the site will need land drainage consent from the Internal Drainage District (IDD) team within NRW".

The Council as Lead Local Flood Authority, although not responsible for the area in terms of land drainage consents welcome the proposal to restrict surface water run off and control the rate of discharge, but do have concerns regarding the proposed method of dealing with flows in the event the existing and proposed extended culvert becomes blocked or the

outfall flood locked, the proposal to direct inundated flows through the development to the south western corner of the development and utilise the adjacent open space / playing field is not considered an acceptable solution in the circumstances and the resultant inundation should be catered for on site (Reference FCA dated December 2005 section 4.5.4).

Generally I would be unable to sustain an objection to the amended proposal on highway grounds; the proposal would not be detrimental to highway safety or capacity, but would highlight the following concerns:

No dedicated operational service vehicle parking has been provided for the Public House. The surface water management and the loss of surface water storage area has not been fully considered.

Welsh Government Transport: Department of Economy and Infrastructure

- Noted that the overall size of the development has reduced with a significant decrease in expected traffic volumes as a result of the removal of the drive thru coffee shop and restaurant. Welsh Government would reiterate the previous direction on conditions requiring drainage not to connect or discharge into the trunk road drainage system

- The existing boundary feature (trees) is the property of the Welsh Assembly Government and shall not be removed or interfered with; no works to be undertaken that affect the stability of the trunk road.

MCC Green Infrastructure

Final Formal Comments were never completed as the negotiations were still ongoing. Comments from the GI Team are taken from the last set of notes and requests given to the agent requiring further information. There is outstanding information to be submitted, there is some information that can technically be conditioned and does not stop the application proceeding to a decision, for example a GI Management Plan. These conditions should set out the parameters of what is expected. However, there is some baseline information in the form of lighting, signage, identification of existing hedgerows and trees including those adjacent to the site boundaries that has not been submitted, thus preventing a full assessment of the visual impact of the proposal to be assessed. A detailed breakdown of what is required and what has been recommended is identified below:

1. Landscaping : There is a distinct lack of baseline information provided on landscaping

- Existing and retained trees hedgerows and shrubs have not been identified clearly or accurately on the Landscape strategy plan - this needs to be clearly set out and where some can be retained these should be incorporated in the scheme.

- A Tree protection Plan will be required for even those trees which are outside the red line but overhang the site.

- A soft landscape plan is required that includes planting plans, specifications including cultivation and other operations associated with plant and grass establishment, schedules of plants, noting species, sizes, numbers and densities. The Landscape Strategy doesn't provide a full and detailed schedule of all plants, species, numbers, sizes and distances (e.g. boundary trees, specimen trees ,the proposal cannot be indicative).

- The following details and information has been requested for submission

i) Clarification is required on the type and available depth of planting. (It is suggested that the strategic planting belt be a minimum of 3m depth, where this can be increased this would be welcomed and comprise a mix of native species e.g oak, field maple, wild cherry, hawthorn, rowan, hazel , alder, dogwood, guelder rose, dog rose and holly)

ii) Planting around the Pub could incorporate a more varied palette including some native grass mixes and pollinator friendly species.

iii) Verge planting along-side the road could include a wildflower mix

iv) Hedgerows and hedgerow trees to be added as separation between walkways and car parking areas e.g. between Unit 1 walkway and the car park and between Unit 2 and the car parking to the front of the unit. (They have not shown on this the most recent layout plan).

v) A hedgerow with hedgerow trees either side of the entrance road would be a better solution rather than just a line of trees. Hedgerows to be a double staggered row 300x300x300mm and maintained at a height of no lower than 2m. Hedgerow trees to be mix of wild cherry and rowan. Planting along the frontage of the development to Dixton Rd should form part of the strategic planting belt.

vi) Surface water treatment draining into channels to help irrigate the proposed planting.

2. Layout (including Street Furniture and surface materials): There is a distinct lack of baseline information provided, the information require to enable a full assessment to be undertaken which to date has not been submitted, the outstanding information is listed below:

- Details required on surfacing materials for the walkway, a visual separation between the car parking bays and road system to help break up what would otherwise be large areas of tarmac or hard surface. Surface materials for the outdoor sitting area to tie in with pedestrian walkways for continuity of circulation, again this will need to reflect and tie into materials used for the public house.
- Surfacing materials for the car parking areas to look at a more porous surface.
- Street Furniture is essential, and needs to be incorporated with regard to sitting areas in key parts of the site. This does not have to be formal and there may be opportunities for some form of boundary treatment that doubles up as street furniture and provide some informal seating area.
- Bike rack and furniture materials to reflect the family of buildings.

3. Lighting: This information is essential for ecological considerations as well as understanding what the visual and landscape impact of the proposal is. The following information is outstanding:

(i) Street lighting: this needs to be informed by the ecologists as well as the designers, where street lighting columns are a necessity, these should be of a design that works well within the setting, the maximum height should be 4m, and this should be supplemented with lighting bollards.

(ii) Lighting on the buildings needs to be detailed so it can be carefully considered.

4. Signage: There have been no details of signage submitted to date.

(i) Signage on the buildings is very important; thought needs to be given to the style and form of the advertisement. It is advised to move away from large fascias and suggest individual lettering is used direct to the building as opposed to one panel that contains the whole brand name.

(ii) Given that the site only contains 3 buildings, their individual uses and brands are clear from passers-by, it would not be appropriate in this case to use any large signage at the entrance, any signage would have to be subtle and work with the setting of the scheme. Need to make sure that no signage intrudes from key vistas and should be avoided along Dixton Road frontage.

5. Retail Units: Again the following information has not been submitted and prevents the proposal being considered in the light of the finishing materials which helps to assimilate the development into the surrounding area.

(i) Materials need to be clearly specified (The timber needs to be natural)

(iii) The rainwater goods need to be detailed not only in annotation but an enlarged cross section of the r/w good on the retail buildings (and the public house) is required. This needs to work well with the clipped eaves of the building continuing the contemporary approach to these buildings.

(iv) A high quality roof materials is required, details required

(v) The recesses on the windows needs to be detailed ideally showing how the timber wraps around into the reveals.

(vi) The main entrance needs further detailing to show how the reveals work and the canopy needs to be clearly detailed in depth, height and materials.

(vii) Final details of fenestration is required

(viii) The timber used on the elevations needs to be detailed showing how it is joined (whether it is butted up, overlapped. etc.)

(ix) Details of air conditioning units shown needs to be detailed.

6. Public House: There are key details missing relating to the submission of the public house

(i) It is imperative that the windows are clearly detailed including the recesses with a close section required of the large gable window on the east elevation.

(ii) Detailing is required of the timber and roof material

(iii) As above the rainwater goods need to be detailed not only in annotation but an enlarged

cross section of the r/w good on the public house is required

(iv) Detailing of fenestration and recesses against natural materials wrapping around the reveals should be shown

(v) Closer detail required of proposed chimney

(vi) Detailing of fencing shown on the east elevation (this should work with the timber that is being used on the buildings)

Key Viewpoints: There are also photographs missing from key viewpoints to include vistas from; Footpath 375 to Leasebrook

Staunton Rd

Eastern end of Dixon close

Newton Court Lane

To quote DCW "Design quality must be pursued with the proposed development which will require high quality materials and detailing. This is important to achieve the vision set out in the visuals, which indicate a sleek and simple design that can be lost at the detailed design stage. Signage and lighting must also be carefully considered"

MCC Ecology:

An updated ecological report has been submitted to support the decision due to the time passed since the previous studies were undertaken: Pure Ecology, Dixon Road, Monmouth Ecological Appraisal Report dated October 2017

Considered alongside the earlier studies, it is considered to be sufficient to inform the decision.

Habitats Regulations Assessment (HRA)

Wye Valley and Forest of Dean Bat Sites SAC

The development will lead to the loss of semi-natural habitat and an increase in lighting within the foraging range of the Interest Features of the SAC therefore the risk to the site cannot be ruled out without further consideration and a HRA has been undertaken.

A lighting plan has been provided to support the decision. Currently, the surrounding roads are extremely illuminated to allow safe vehicular passage around the roundabout on the dual carriageway.

River Wye SAC

The site includes a land drain which discharges into the River Wye 180m from the site. Due to the risks posed by development of the site, potential impacts have been considered in a HRA.

The drainage plan illustrates:

1) There will be more petrol interceptors than currently indicated on plan (Proposed Drainage Layout Surface Water Pumping Station, Fairhurst 97438/2020 Rev D) to ensure that the water quality will not be unacceptable to the SAC or evidence that the level of petrol interceptor indicated is sufficient to safeguard the interest features of the River Wye SAC. This plan should become an approved plan of the scheme.

Due to the proposal affecting the onsite watercourse, A Construction Environment Management Plan (CEMP) will be subject of a pre-commencement condition to ensure that there is no risk of pollution or sedimentation episodes. This CEMP will be, as a minimum, in accordance with the British Standard for Biodiversity BS42020.

Protected

Species Bats

The site has been identified as locally important foraging habitat used by multiple species including two species of pipistrelle with indication that it is used closer to sunset by small numbers of pipistrelle bats, most likely from a nearby roost. Feeding opportunities need to be maintained at the site through appropriate planting. The Landscape Concept Plan (Drawing 02 Rev H) that has been recently submitted does not reflect the landscaping as discussed during August 2014 (also referenced in section 5.12 of the latest ecology report). Drawing 02 Rev H shows a hedge/woodland edge habitat along the western boundary (with the school) which will be directly beneficial to foraging/commuting bats.

It is noted that a precautionary recommendation for inspection of the sycamore/ivy before removal. A planning condition shall be needed to secure this.

The provision of bat roosting opportunities is yet to be fully considered. If this were to be required, in line with LDP policy NE1, due to recent WG decisions, we are unable to use a planning condition to secure this and would hope to see it on plan prior to determination.

Nesting birds

The ecology report notes that the proliferation of dense scrub cover at the site since December 2015 has increased the potential nesting habitat available to a range of urban fringe birds.

A planning condition is recommended to ensure that if works are carried out during the bird nesting season, they are preceded by a nesting bird check by an appropriately experienced ecologist.

Structural planting must include provision of compensation for loss of nesting opportunities on the site. Additionally nesting opportunities can be incorporated into the buildings to provide further compensation, due to recent WG decisions regarding Biodiversity Enhancements, we now are unable to use a planning condition to secure this and would hope to see it on plan prior to determination to be in accordance with LDP Policy NE1.

MCC Heritage: Conservation Response for Dixton Gate.

The site is located on the A40 just outside the historic town of Monmouth and on the border between England and Wales. Monmouth is a 'Gateway' to Wales and the Wye Valley Area of Outstanding Natural Beauty.

It is an historic market town with an important national history nestled between the Hills of the Lower Wye Valley Area of Outstanding Natural Beauty and the River Wye, itself designated as a site of Special Scientific Interest. Monmouth is a compact and well delineated settlement within the confluence of the Rivers Wye and Usk. Regeneration has focused on the enhancement and conservation of the town's historic buildings providing a unique and individual shopping and dining experience suited to the nature of the buildings that make up its character and the valuable local and tourist trade. The result is a buoyant and historic market town with the character of its historic buildings and historic context, flourishing.

The town is overlooked by a number of iconic nationally important and designated view-points. The Kymin is a nationally known Listed building and Monument and registered Park and Garden, owned by the National Trust built by Lord Nelson for picnics and suppers where they could enjoy the Picturesque views over Monmouth.

- Great Doward Hillfort, Scheduled Monument with views towards Monmouth
- Wyastone Leys Registered Park and Garden (England) The gardens were designed to capture the Picturesque Views over Monmouth in the 18th and 19th Century.
- Dixton Church is an important listed example of a group of early Christian Churches located close to the banks of the River Wye and in close proximity to the development site, it is designated as a Conservation Area.
- Monmouth is a designated as a Conservation Area

It was concluded with the original scheme that the nature of this proposed development would be visually detrimental and harmful to the setting of the historic town and would impact on the important views from the three nationally important locations above (within the AONB) that add to the local tourism offer, and the setting of Dixton Church. Updated comments relating to the latest scheme to be reported as late correspondence

MCC Environmental Health: The assessment identifies that there will be zero percentage change in emissions with the development on the modelled receptors. This is based on the fact that the traffic assessment did not identify that there will be a significant increase in traffic or congestion in the area.

Natural Resources Wales: Objection

Fairhurst confirmed on 30 April 2018 that 'Option 2' set out in the December 2015 FCA is the proposed option for the development. We have been supplied with the details of the proposed site levels in Drawing No. 2004.B. Based on this information, we advise that the proposal fails to demonstrate that the risks and consequences of flooding can be managed to an acceptable level in accordance with TAN15. Therefore, we object the proposal as submitted.

The FCA has used flood data which is now considered out of date. This data has been superseded by modelling work for the River Wye which was carried out in 2017. The latest data can be provided by us. However, the new data will not change the potential consequences of flooding to and from the site, as it will show a greater risk of flooding compared to the flood data used to inform the December 2015 FCA.

As previously advised, the proposal is not designed to be flood free in the 1% plus climate change allowance (CCA) event. The proposal is predicted to flood to the following maximum depths:

Pub restaurant (including residential accommodation):

0.59m

Retail Unit 2: 0.99m

Car park: 1.29m

These depths are based on a predicted flood level of 19.49m AOD. When the most up to date flood data are considered, then the predicted flood depths are even greater.

A1.14 of TAN15 advises that proposed development should be flood free in this

event. As such this proposal is not in line with this criteria of TAN15.

During the 0.1% flood event based, the proposal is predicted to flood to the following maximum depths:

Pub restaurant (including residential accommodation):

1.88m Retail Unit 2: 2.28m

Car park: 2.58m

These depths exceed the indicative tolerable conditions set out in A1.15. Again, when the most up to date data is considered these predicted depths increase.

We have previously advised that speed of inundation, and rate of rise of floodwaters have not been assessed against the A1.15 criteria. We refer to the comments in our letter of 18 April 2018.

Impacts on flood risk elsewhere

Point 4.2.2 in the December 2015 FCA states that in both the predicted 1% CCA and the 0.1% flood events, there is a negligible increase in flood impact to receptors. The FCA did not provide any calculations or commentary on how it came to this conclusion. Therefore, we are unable to advise your authority on the acceptability of this criterion.

We note the changes to Drawing No. 99007B. However, there is no specific information/summary of the depths, velocities and flood hazards along the route which should be included within the FCA. However, from the information on Drawing Number 99007B for the access/egress route we have ascertained that:

- the depths would be 1 to 2 metres (1% +CC event);
- greater than 2 metres (0.1% event);
- hazard rating for the 1% CCA event is at least 'Danger for Most - includes the General Public' (this flood scenario not included on this drawing)
- hazard rating for the 0.1% is 'Danger for All - includes Emergency Services'

These values exceed the guidance set out for access in table A1.15 of TAN 15. In addition, A1.12 states that escape/evacuation routes are shown to be operational under all conditions by the developer.

Designated Sites and Ecology

We have reviewed the Ecological Appraisal Report and note that a walkover survey was undertaken on 29 September 2017. The report maintains that several bat species are using the site, but considers it is unlikely that development of the site will result in either a loss of significant foraging habitat for horseshoe bats or have any significant negative impact on the interest of the SAC/SSSI. It also recommends, under section 5.1, that 'Development plans should maintain the foraging opportunities for local bat populations by including insect-attracting plant species in the planting scheme, reducing light spill from the development to the minimum levels possible'. We agree with this recommendation.

We have also reviewed a proposed lighting plan entitled "external lighting layout", drawing No40272-Q0DA-00-00-DR-E-0901 Rev P, which we received on 2 October 2017. We have some concerns with the lighting proposed along the south west vegetated boundary and

north west corner of the development site, i.e. the areas where Lesser Horseshoe Bats were observed foraging previously. Our concern is that the plan does not provide light spillage drawings, making it difficult to demonstrate how light spill is being reduced to minimum levels possible. For example, is there backward spillage from the lights proposed. It is also our view that proposed lighting along the south west boundary and the service/car parking areas could be replaced with more appropriate lighting, for example, bollard lighting with cowls which direct light into the development site only.

We recommend a revised lighting plan is prepared taking into account the above points. It would be beneficial if this were to be provided to your Authority prior to determination. However, should your Authority be minded to grant planning permission, as submitted, we advise a planning condition is attached to the permission. This condition should secure the implementation of a lighting plan before development commences which should be agreed and approved by your Authority. The revised lighting plan should ensure the lighting spillage is reduced to minimum levels possible to the vegetation along the south west boundary and in the north-west corner of the site.

Lower Wye Drainage Board:

The site is located inside the Board's operational area, is a Natural Flood Plain and as such has the potential to have direct effect on the Board's operational interests and watercourses under the Board's control.

Very high ground water levels are experienced in this general area, which may well adversely affect any surface water drainage arrangements put in place as part of proposed works. Any change of land use impacts the natural hydrological cycle, with developments such as this the increase in impermeable area will increase run off and, if not controlled appropriately, have a high potential to increase flood risk elsewhere.

Managing the flood risk is an extremely important part of achieving sustainable development. The flood consequence assessment, available online, informs us of the intention to manage surface

water by using a sustainable drainage system, the Board believe that SuDS have a key role to play in flood management for new (and existing) developments. Where possible the Board advocates the use of true SuDS, mimicking natural drainage systems maximising the use of the SuDS hierarchy as far as reasonably practicable, to accommodate for the increased surface water runoff. This approach helps achieve aims of the PPW (TAN15: Development and flood risk) adding scope to reduce runoff and flood risk, improve biodiversity, water quality, water quantity and amenity. Tanked/pumped and solutions using unnatural flow paths, such as that proposed, are a last resort. It is noted from the application that the proposal involves discharge of water into ordinary watercourse, modification of ditches, watercourses and culverts.

The Board's requirements in respect of surface water disposal are:

Rates for storm water runoff discharged from the site to replicate or achieve a reduction from the 'greenfield' response of the site over a range of storm probabilities, accompanied by the required On-site Storage designed for the 1 in 100 year storm event.

For the range of annual flow rate probabilities, up to and including the 1% annual probability (1 in 100 year storm event) the developed rate of run-off discharged from the site into a Viewed Reen or ordinary watercourse shall be no greater than the undeveloped rate of run-off for the same event. The potential effect of future climate change shall be taken into account by increasing the rainfall depth by 10% for computing storage volumes.

All in compliance with The Institute of Hydrology Report 124 (IoH 124) - Flood estimation for small catchments (1994)

All to the satisfaction of the Engineer to the Board.

No additional surface water runoff is permitted into the ordinary watercourses within the Board's boundary without written Land Drainage Consent, which would have to be obtained from the Board under the terms of the Land Drainage Act 1991 and the Flood and Water Management Act 2010. The developer should be informed that proposed modifications to the ordinary watercourse running through the site, which is within Board's operational area, will require IDB's Land Drainage Consents in addition to any consent which have to be obtained from LLFA.

Absolutely no modification, culverting or in filling of any ditches /watercourses within IDB district will be undertaken without a written Land Drainage Consent from the Board.

MCC Economic Development: Recognition that the local hospitality (and possibly retail)

businesses are having difficulty recruiting staff in Monmouth. This is likely to be worse if the Marston's and retail outlets at Dixton Road are developed.

Gwent Glamorgan Archaeological Trust: No objection subject to conditions

An archaeological desk-based assessment prepared by Border Archaeology, dated December 2013 ref. number: BA1338DRM is included in the supporting information. The report concludes that the potential for encountering archaeological remains of Roman or medieval date is low to moderate. The assessment also notes that the application area is located in an area included in the Register of Landscape of Outstanding Historic Importance, the Lower Wye Valley HLCA010 Dixton Transport Corridor, and also some 180m from a Scheduled Ancient Monument, Cadw ref: MM125, Dixton Mound. The report concludes that the impact on these will be low.

Whilst we note the current amendments, it remains our recommendation that a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource should be attached to any consent granted by your Members.

CADW: The proposed development is located in the vicinity of the scheduled ancient monument known as MM125 - Dixton Mound. A sub rectangular mound less than 1m high and surrounded by a broad wet ditch is located on gently sloping ground suggests it may have been a moated site rather than a full-fledged castle. Views towards the proposed development area from the

designated monument are principally blocked by housing on New Dixton Road with other views screened by existing vegetation. Therefore, it is Cadw's opinion, that there will not be a significant impact on the setting of the designated monument

Monmouth Civic Society: Object

A retail park has no place at the northern entrance to the town. Do we really want to welcome visitors with screaming hoardings for Carpet Right and the like? The two planned retail units are expected to have a turnover approaching two million a year from passing trade. Funny that the picture accompanying the plans show no signage. There's a paragraph in the LDP - the local development plan - under the heading Place Making and Design which the developers say says "the development shall contribute to creating high quality, attractive and sustainable places." Fine. What they don't say is that the policy goes on to state "All development proposals must include and promote high quality, sustainable inclusive design which respects local distinctiveness, respects the character of the site and its surroundings in order to protect and enhance the natural, historic and built environments and to create attractive, safe and accessible places." We do not think this development really respects the character of the site and its surroundings. The site lies within the flood zone and the developers claim the development is allowable because it is not residential and so is classified as "Less Vulnerable". But the pub is residential: it has a three- bedroom manager's flat and that puts it in the category of "Highly Vulnerable". The developers also like to overlook the fact that a corner of the site comes within the Dixton Conservation Area and the stricter development rules that govern conservation areas. Traffic conditions at the roundabout are already pretty bad. The developers' imaginative illustration shows only seven vehicles approaching from the traffic lights. We fear this development will make the traffic worse and help to cut Wyesham off from the main part of the town even more than it is now. The retail units themselves - one 7,000 sq. ft. and the other a little smaller - are really just sheds. The materials are nothing special, just the usual boring cladding to be expected from architects who boast of putting up 400 Pets at Home units around the country. And the pub seems to have taken a dive since the first designs went in. But it's still a standard Marston's off-the-peg design, owing nothing to the vernacular of the Wye Valley. Something is going to happen on this site. It has outline planning permission for commercial use. Perhaps - and I should say the Civic Society hasn't discussed this yet - the town council should take out a cheap loan from the Public Works Loans Board, buy the site and commission a distinctive, well-designed joy of a building - quite unlike anything on offer here - to serve as a Welcome to Wales centre and place to buy local products. We want Monmouth to be a place that does to, not a place that's done to."

Monmouth Chamber of Commerce: Object

Monmouth residents will be aware that the Chamber of Commerce, in cooperation with the Gateway to Wales action group, has actively and vigorously opposed this development over the last 5 years. Development of this site for retail, will create traffic, flooding and of course

competition issues with the businesses of our town. The promise by the developer to create 50+ new jobs is found to be hollow as we currently have 60 + job vacancies in retail and hospitality, which can't be filled.

Some may be aware that apart from one letter of objection there have been no letters uploaded to the application in 2018 by MCC planning office and none for the developer or their consultants.

One of the major obstacles for any developer to overcome relate to objections on flooding matters raised by Natural Resources Wales. Readers will remember that as a result NRW's objections on the spa hotel project, the application was subsequently called in by the Welsh Government and rejected by the Minister, even though the car park and hotel were situated above the 1 in 100 flooding event plus climate change.

NRW object to the consultant's proposals on the following grounds:

The Flood Consequence Assessment fails to demonstrate that the risks of flooding can be adequately managed. It uses flood data, which is out of date and using the latest data NRW say that the potential consequences of flooding to and from the site will be greater.

The site, under the consultant's proposals, is not designed to be flood free in a 1% plus climate change event and the pub restaurant would flood by 0.59 metres and retail unit 2 to a depth of

0.99 metres.

During a 1 in 100 flooding event the pub including accommodation would flood to 1.88 metres and retail unit number 2 to 2.28 metres and the car park by more than the height of a car.

This is not acceptable under Technical Advice Note 15.

In order to overcome NRW's objections, it might be possible to raise the site by an average of 2.5 metres. However, this would involve bringing on to the site 20,000 cubic metres of material and probably result in adversely affecting nearby homes with increased flood risk. NRW note that the consultants fail to demonstrate the impact of flooding outside the site or on the evacuation route. Calculations by NRW show values exceed that required under TAN15 and it is not acceptable for the evacuation route to be unusable in an extreme flooding event.

All in all, the consultants are using out of date data, have failed to demonstrate the flood consequences accurately and the information supplied indicates that the results are not in accordance with Technical Advice Note 15. We have taken expert advice from a consultant and he believes that NRW's objections to this development are insurmountable.

Llangattock Vibon Avel Community Council:

Pupils residing in our area attend Monmouth Comprehensive School. The proposals are too near the school. The patterns and extent of vehicle movements would be such as to greatly increase the harmful nitrogenous element of the air they breathe

Campaign for the Protection of Rural Wales: Object to this proposal.

The proposed development is located at a significant point in relation to the town and the wider region. The development is an out-of-town retail development.

The A40 trunk road which bypasses Monmouth has greatly detracted from the beauty and historical significance of the town. This development would do nothing to improve this situation. The proposed Dixon Road development is located a short distance from the border between Wales and England described as the Gateway to Wales as it would be the first significant thing that visitors would see. In this case, surely Monmouth and Wales deserves something better than a pub and two retail units. The journey down the dual carriageway towards Monmouth is really quite spectacular. This development would have a negative impact on the landscape and it would do little to highlight the beauty of the area or the town. CPRW urges the planning committee to reject this application. Perhaps it is time to consider alternative uses of the site that might attract more visitors to the town. Here are some additional comments from CPRW members. It would be a real and only eyesore interruption between arrival at Monmouth and its link with the rest of the onward journeys i.e. down the Wye Valley/A449 Usk Valley. No need to make a similar mistake to the development in Abergavenny.

JW Planning: Independent Retail Impact Assessment (the Council's retail consultant)

To assist in the consideration of this application the Council commissioned an independent retail assessor to advise on the retail policy and impact issues raised by the planning application. The proposal focuses on the amended scheme, the original application proposals in 2013 having been for a larger, more intensive commercial development on the application site. The comments focus on the Peacock & Smith Ltd (P&S) Planning and

Retail Assessment (PRA) dated September 2017. The findings of the report are summarised below:

Occupation of the retail units is currently unknown, but the applicant has offered that these units be restricted to 'bulky goods' trading only.

- The application site lies within the 'Settlement Boundary' for Monmouth, but is unallocated and in an 'out-of-centre' location in terms of retail planning policy.
- Planning Policy Wales 2016 (PPW) (paragraph 10.2.16) requires that new out-of-centre retail developments "should not be allowed if they would be likely to put the development plan retail strategy at risk".
- The application proposal is inconsistent with the development plan retail strategy, which identifies Central Shopping Areas (CSAs) within town centres as the preferred location for new retail and other forms of commercial development - LDP Policies S6 and RET4.
- The significance of this conflict needs to be judged in context of the performance of the proposal against the LDP Policy RET4 and PPW requirements relating to out-of-centre development.
- LDP Policy RET4 states that where new development is outside the CSA it should meet specified requirements. The most relevant requirements in this case relate to 'need', 'sequential approach', and trade impact.

Need

- There is a significant leakage of bulky goods expenditure from Monmouth's catchment (Zone 2). Other things being equal, there would be benefits for Monmouth residents if some of this expenditure attracted elsewhere could be attracted to Monmouth. In short, there is theoretical quantitative expenditure capacity for further 'bulky goods' trading in the town.
- In the absence of information on the type of trade that would occupy the premises, other than the broadly defined 'bulky goods', it is impossible to judge the level of expenditure clawback that might arise from the proposal. This would depend upon the range and type of goods sold, as compared with what is currently available in Monmouth.
- Furthermore, in the absence of more detailed information on the type of trader, it is impossible to have confidence that, if planning permission were granted, appropriate types of bulky goods retailer could be attracted to Monmouth. Any 'qualitative need' justification for 'bulky goods' retail units in an out-of-centre location needs to have up-to-date evidence that the proposal is capable of being delivered.
- An assessment of 'need' for public house / restaurant uses is much less meaningful than for retail uses because of the nature of the public house / restaurant sector. Public houses in particular have been subject to major commercial pressures and changes in 'drinking' habits. The restaurant trade is strongly dependent upon the market offer of particular facilities. In this case, the position is further influenced by the location of the public/ house at a junction on the A40 from which the applicant's anticipate trade will be attracted. We are not in a position to comment on the 'need' for additional service facilities on this stretch of the A40, nor whether the proposed site and roundabout access to it are acceptable or considered appropriate in land-use / highway terms. Plainly the proposed public house restaurant would add to the available offer in Monmouth, which is a benefit. However, because Monmouth residents are relatively well provided for by bar / restaurant facilities in the town centre, the weight to be attached to this benefit should be considered against any disbenefits including diversions of A3 custom from the town centre (on which we comment under the heading 'Impact').

Sequential Approach: P&S's sequential approach assessment is set out in Section 7 of the PRA. We have not undertaken an up-to-date inspection of the town centre to identify sites and premises that may qualify as alternative locations for the application proposal. Our comments are therefore based in part on our knowledge of the centre from previous inspections, and on survey information provided by P&S.

It was concluded that for the proposed retail units that site had not met the sequential tests as the following units provided a potential alternative:

Former Budgens, Oldway Centre (now Home and Bargains) 95/97 Monnow Street (now Estero lounge)
20/24 Monnow Street. (floor area too small)

Former cattle market (within the Council's ownership; application submitted to create a

public space within this area; issues of flooding to overcome so was subsequently withdrawn. Therefore not suitable or available as an alternative location). Previously due to the availability of some of these units it was considered that the sequential tests had not been met.

Practically however the only unit that did provide a viable alternative was the former Budgen Store due to proximity of car parking area, availability of servicing area and available floor space.

However this is not now available so it is reasonable to conclude that the sequential test has now been met for the retail units.

The same alternative units were assessed as a potential for alternative sites, again 3 out of the 4 units are not now available. Accommodation of the public house / restaurant within the town centre requires more issues to be addressed. Use of 95/97 Monnow Street would require flexibility in terms of floorspace and design. Use of the former Cattle Market site would be dependent upon the Council making suitable land available. Sequential Test has been met.

Trade Impact: Retail Units

The quantitative impact on the town centre's comparison trade is as a whole would, at less than 5%, be modest but significantly greater on the 'bulky goods' sector. The actual scale of impact and where it would fall would depend on the actual occupiers of the units and the degree to which they would clawback trade from facilities elsewhere, and/or impact on existing shops in the town centre.

There is a significant leakage of bulky goods expenditure from Monmouth's catchment. Other things being equal, there would be benefits for Monmouth residents if some of this expenditure attracted elsewhere could be attracted to Monmouth. Furthermore, it is reasonable to assume that if new improved bulky goods facilities were to be provided in the town, Monmouth's market share of retained expenditure would rise. In short, there is theoretical quantitative expenditure capacity for further 'bulky goods' trading in the town. In the absence of information on the type of trade that would occupy the premise, other than the broadly defined 'bulky goods', it is impossible to judge the level of clawback that might arise from the proposal. This would depend upon the range and type of goods sold, as compared with what is currently available in Monmouth.

Furthermore, in the absence of more detailed information on the type of trader, it is impossible to have confidence that, if planning permission were granted, appropriate types of bulky goods retailer could be attracted to Monmouth. Planning permission granted by the Council for a 'bulky goods' unit in Wonastow Road has never been taken up. This indicates to us that any 'qualitative need' justification for 'bulky goods' retail units in an out-of-centre location needs to have up-to-date evidence that the proposal is capable of being delivered. In our opinion the scale of trade diversions from Monmouth shops will be strongly dependent on the occupiers of the proposed units and the extent to which the range of goods on offer is currently available in Monmouth. In the absence of this information, we believe that it would be prudent to allow for at least 50% of the trade diversions to be from Monmouth town centre shops. We have indicated above that P&S's turnover figure for the proposed units should be treated with caution.

However, using the P&S turnover estimate, but allowing 50% of it to be diverted from Monmouth town centre shops would raise the trade diversion to £1.39m. (2.78×0.5). This would give rise to an impact on the town centre comparison goods shops of 3.6% ($39.05/1.39 \times 100$). Based on P&S's estimate of 'bulky goods' turnover in the town centre at 2021 of £3.2m (PRA paragraph 8.05 and Table 5), the impact on the town centre's bulky good shops would be approximately 43%.

Any quantitative trade impact figures have to be seen in a wider context. In recent years there have been major economic changes affecting retailing and particularly market towns. The post-2008 recession hastened changes that would otherwise have occurred in shopper behaviour patterns. The growth of internet based shopping and relative strengthening of larger shopping centres at the expense of smaller centres has become more pronounced. Monmouth benefits from its attractive historic centre, and this has enabled it to perform relatively better than many market towns. However, it does not make it immune from the pressures facing small town centres at the present time, and we therefore believe that the proposed retail units do give rise to the risk of unacceptable detrimental impact on vitality and viability of the town centre.

Public House / restaurant.

MRLS 2010 indicated at that time that for a centre of its size, Monmouth was well provided for with bars and restaurants. In part this arises from it being an historic centre. In our opinion this does not necessarily mean that there is no 'need' justification for additional facilities. This is particularly so if the new facility would provide an attractive offer that would not adversely impact on existing town centre facilities (on which we comment under the heading 'Impact'). In this case, the position is further influenced by the location of the public/house at a junction on the A40 from which the applicant's anticipated trade will be attracted. We are not in a position to comment on the 'need' for additional service facilities on this stretch of the A40. However, being located on a junction of the A40, it is reasonable to assume that the proposed public house / restaurant will attract some of its trade from passing motorists who would not otherwise have visited restaurants in the town centre, although the proportion of its trade that would fall into this category is difficult to judge. Our judgement is that the impact of the proposed public house / restaurant would not be of scale to threaten the role played by public houses / restaurants in supporting the vitality and viability of the town centre.

Finally, we have noted the figures of new employment identified by P&S. We accept that the proposals should generate new jobs (principally the public house / restaurant), but there is also likely to be a modest Class A1 and A3 job loss elsewhere arising commensurate with impact on existing facilities.

Design Commission for Wales:

The following comments were given to the original scheme

The Design Commission has a number of concerns about this proposal and the lack of evidence of an adequate design process properly informing proposals.

Although building this type of retail development on this site is appropriate in principle, there is little evidence to suggest that the proposal has been designed to address any of the constraints and opportunities provided by the site to achieve the best value solution.

The lack of site analysis, option testing and methodical and iterative design processes has resulted in an unsatisfactory proposal which requires significant further work to achieve good design quality and realise the opportunities of the site.

It is crucial that time and resources are invested in a proper design process at this early stage to add value, otherwise significant future costs associated with poor quality design could be incurred.

It is important that the whole site is considered and designed together as one, informed by the analysis. A masterplan and landscape strategy should consider building orientation, layout, where active frontages will be located and movement of pedestrians and cyclists as well as vehicles.

Designing three individual buildings and filling in the spaces between with roads and parking will not provide the best value solution. Proposals should be designed to address the site constraints and resolve these issues as far as possible. These constraints include, but are not limited to:

- o Flooding risk and water management
- o Noise from the A40 road
- o Site levels
- o Impact on setting of the conservation area.

Other

It is important that the whole site is considered and designed together as one, informed by the analysis. A masterplan and landscape strategy should consider building orientation, layout, where active frontages will be located and movement of pedestrians and cyclists as well as vehicles. Designing three individual buildings and filling in the spaces between with roads and parking will not provide the best value solution.

Due to its location adjacent to the A40 many customers will arrive by car, so parking provision will be important. The design team should consider the best way to integrate parking for the site alongside a wider landscape strategy. For example, pub garden space may be most attractive to customers if it avoided overlooking a sea of parking.

Green Infrastructure, Energy and Wellbeing

It is good that the local authority is committed to delivering their Green Infrastructure plan. The proposals for this site should be considered in the context of this wider strategy for Monmouthshire. The long term costs and maintenance of green infrastructure should be properly planned for. Carefully designed landscape can provide multiple benefits on this site, including improving biodiversity, creating attractive places for visitors/customers to use, providing acoustic and visual buffers to the trunk road and dealing with surface water drainage sustainably and effectively. A mutual agreement on a landscape strategy for the verges around the site is needed. Proposals should be coordinated through discussion with the authority that manages the trunk road.

5.2 Neighbour Notification

To date there have been 631 objections from residents to the proposed development. A significant number of these objections were to the original proposal that included a McDonalds and a drive thru Costa Coffee in addition to the retail unit and public house. These two elements of the development have now been removed from the scheme so the objections given to these aspects of the development are not included in the list below:

- Detrimental to the character and feel of the area
- Proposed retail/services are not needed
- Adds to congestion adding further traffic problems to the area on the A40
- The service station on the A449 provided the coffee shop services required for drivers passing by
- Residents of Wyesham already compromised by existing road network which will be exacerbated by this development
- Any increase in traffic on Dixton road entering the roundabout and heading south will add to the regular congestion both ways
- Similar facilities at Whitchurch and Ross within 5 miles
- Visual impact of signage, wide ranging detrimental visual impact
- Parking places proposed are inadequate leading to random parking on the side of the road in areas frequented by school children
- Access for passing trade would be from the A40 Old Dixton Road roundabout. This roundabout is extremely busy with traffic, with lorries progressing straight onto the roundabout when approaching from the north
- Any addition to the frequency or volume of traffic requiring to turn right onto the roundabout would increase the likelihood of accidents
- The Transport Assessment and Travel Plan gives a target of 65% single occupancy drivers for employees of the proposed retailers. The proposal states 91 spaces with 147 jobs created (so a considerable number of spaces would be taken by the employees, double demand on parking at shift changeover).
- Empty retail units in the town centre. It is important to maintain a viable and attractive shopping centre. Monmouth is recognised for its independent retail units
- Hugely detrimental visual impact upon the tourist entry point at Dixton roundabout
- Currently have 9 Public Houses, 3 vets and numerous coffee shops
- Commercial and retail premises are proposed in a location which has never previously gained approval for such a development
- Proposed uses are out of scale for the proposed site
- Development is not proportionate or sympathetic
- Impact upon the Wye Valley AONB
- Flooding Issue in the area
- This area requires a proportionate, sympathetic development; the development proposed is entirely inappropriate.
- Development is generic, plastic and is not in character with Monmouth
- The buildings would block views to the AONB
- Dixton Road is the principal point of entry into Monmouth from the north. With a pinch point outside the Comprehensive School; it is already too narrow for heavy commercial traffic. It lacks a pedestrian footway on the south side. Any substantial development will lead to further congestion on the south side with increased air pollution resulting from the stop/start traffic. These problems are all to the detriment of local residents and to the children attending the local schools.
- Proposed development will encourage on street car parking
- Site is on a flood plain
- The Gateway to Wales should showcase the best planning decisions that will preserve and protect this special site.

- The proposal is not visually in keeping with the existing architecture of the town. Monmouth has more Georgian and Regency Buildings than any other town in Wales. The use of stone is not appropriate given that the only stone buildings in the town are the iconic Monnow Bridge, The castle, the Priory - not the 'cutesy' architectural pastiche.
- The proposal is more for the benefit of passing trade rather than the benefit of the town and therefore sits as out of town development
- Quality of employment that this development brings is poor with the hospitality sector traditionally the poorest paid
- There is only one pavement at the end of Dixton roundabout
- Council's planning function must seek to avoid allocating development in areas of flood risk. It should avoid creating additional risk by not locating critical infrastructure in areas which are vulnerable to flooding
- The developers response to flood protection does not meet with NRW approval
- There have been a considerable number of accidents at and close to Dixton roundabout including two fatalities
- The TIA shows a 60 metre visibility splay from the exit along towards the roundabout; this distance according to the Highway Code is only the distance required for a car to stop in the wet for 30mph
- Vacant shops within the town centre with significant retail floor space available. Not in line with town centre first policy

There are other out of town locations that are more appropriate for a commercial site of this nature Reference to Monmouthshire's Retail and Leisure Study (2010) "Concerns regarding the vitality and viability of the main towns and their vulnerability to out of town developments.... new and enhanced retail and commercial developments of an appropriate scale should be in designated centres overall found that.... Limited need for further retail development on the County over the plan period... accordingly there is currently no need to allocate the additional sites for retail provision in the Plan"

Commercial basis of the site including signage will have a wide impact upon the wider area including that of AONB designation. Monmouthshire Landscape Sensitivity and Capacity Study (June 2010) shows the site to be in area of high/medium sensitivity.

LDP talks about place making, sense of place and local distinctiveness, this is not reflected in this proposal

Site has archaeological interest

Adverse impact upon amenity of neighbouring properties, noise and disturbance from public house and traffic

Air quality is already an issue due to proximity of A40 and Dixton Road, air quality of neighbours and schools is likely to deteriorate as a result of this development. This is further aggravated by the removal of trees (conifers) on site

Neighbour has assessed the development using the MCC template with regard to compliance of the Future Generations Act

It is proposed that large goods vehicles delivering to Marston's would be instructed to reverse through the car park to turn around. This is because there is no service area for Marston's deliveries. It is known that the car park is less than adequate for the combined trade expected, as bulky goods retail units stay open into the evening dining period, so the car park is likely to be well occupied, if not full. Large goods vehicles reversing at all times of the day and evening through lines of parked cars pose a real risk for users of the car park. The Marston pub layout is unacceptable without a dedicated service area for LGVs to unload and drive out forwards. At the planning stage this has to be changed, or the plan rejected on the grounds of public safety

The flooding of the site is not totally due to surface water runoff. As experienced by local residents, the water comes up from the ground so the piping and tanking of runoff would not drain the site and in fact due to the underground tanks the problem of site flooding would be greater. There is photographic evidence of the playing fields being flooded due to rising water.

There are currently many empty business premises in the vicinity of the high street due to rising costs, particularly the recent severe rate rises, and each loss of business reduces passing traffic (footfall) for those businesses remaining. In addition I am aware of at least 2 businesses trying to be sold and others just waiting until the end of their rental periods due to a loss of confidence in the Council because they (we) are concerned about Council's commitment to small business.

Establishing an out of town retail park will inevitably further reduce high street activity and it is difficult to see any logic.

Local Pet store has submitted that they are already suffering from a severely reduced

footfall when Budgens closed, severely impacting sales. In the original application Pets at Home was to be a major collaborator and while it is not clear that this enterprise is to take part in the latest proposal - if it were, then we would have to immediately close due to unfair competition resulting in the loss of 8 jobs

Not an attractive welcome to Wales

Monmouth enjoys a high number of visitors attracted by the individual essence and vitality of the town; they are not attracted by corporate food outlets and modern industrial units, such as these are probably evident back in the home districts they've chosen to leave behind or otherwise avoid, unless passing through to another destination. It would be irresponsible for a governing organisation with the power to either safeguard or irrevocably damage the area to favour a scheme like this on the edge of town which will do nothing but detract from the ancient historic and fragile district of Dixton

Strong objection to the proposed development of this tiny area into a pub chain food outlet. This type of business cleverly chooses the outskirts of a town, on a bypass route. The Dixton roundabout is the point at which A40 road users approaching from the direction of Ross, might turn off into Monmouth town. Travellers approaching from Wales or the Forest of Dean might, having noted the appealing town buildings, decide to pause their journey and head into town. If the new development goes ahead, day trippers, families with demanding children, routine travellers and holiday makers using the A40 will instead find a very attractive and convenient, popular corporate comfort break opportunity with easy parking and all amenities on hand. They will break their journey at the pub chain restaurant and continue along the A40 refreshed

I regularly use the A40 in my occupation as lorry driver in mainland UK and see many traffic jams. The ones I encounter at Dixton roundabout are notably severe and although I don't see a solution which might reduce the queues, I do feel very strongly that allowing a pub/restaurant to exploit the Monmouth junction would provide the very opposite effect. If the development is allowed I will lose all faith in local authorities trying to address congestion and will pack extra sandwiches for days when I need to bypass Monmouth as I will expect further extension to the delays I already experience

NRW have objected as the assessed flood level risk for 1 in 100 years is up to 2 metres, in excess of statutory limits;

- if the ground is built up it increases flood risk elsewhere;

- the development will sit on an existing watercourse which will have to be culverted - this is opposed since it involves destroying a wildlife corridor

If congestion does get worse service vehicles, e.g. ambulance, fire service, etc. will have difficulty doing their jobs possibly putting lives at risk

The entry into Wales from England is so far devoid of developments. This pleasing prospect of entry into a protected area (Wye Valley) would mean that the proposed development is completely out of character. Moreover, there are similar sites closer to Ross that already provide amenities and space for development. The proposed development would be the first of its kind in a residential area and could provide a nucleus for expansion. It is simply unnecessary and out of keeping in this location

The parking spaces on the proposed site are inadequate for the size of the development and staff would be prohibited from parking on the site. It is unrealistic to suggest that most staff would travel to and from work by public transport or cycle. The limited Monmouth Town bus service runs approximately once an hour with the last bus of the day at 18.15. This is clearly inadequate for staff working extended hours in a public house. There are no safety provisions for cyclists on local roads, most roads outside Monmouth are unlit and, quite understandably, few people in the area cycle to work. The inevitable consequence would be that most staff would travel to work in cars and park on Dixton Road, restricting traffic to a single lane, particularly for delivery vehicles, and contributing to tailbacks into Monmouth and onto the roundabout

Today I counted 12 empty premises in the town centre, significantly more than the 5 claimed in the latest Planning and Retail Assessment which is based on out of date information. The construction of two out of town retail units will put even more pressure on the retailers in the town centre and result in more empty premises. Monmouth town centre needs to remain a vibrant place to shop.

There are an abundance of public houses and restaurants in Monmouth - there is no demand. The original proposal was strongly based on evidence on sites of similar size but in very different environments

Furthermore in the interim Raglan services have opened which negates the need for a facility of this nature. It is particularly inappropriate as the first facility in Wales

The public house and retail units are of a character more suited to an industrial estate than an entrance into Wales and Monmouth

This proposed development also contravenes Policy RET4 in the Local Development Plan which seeks to focus future retail and commercial leisure /entertainment development in the County's designated Central Shopping Areas by having a detrimental impact on the vitality and viability of Monmouth town centre. There are other more suitable locations within Monmouth where bulky goods retail can locate

Living in the dead end street of New Dixton Road (off the roundabout) already gives me grave concerns for the residents of this street when we exit the roundabout and need to take an immediate right turn into our street. On a number of occasions vehicles have come very close to hitting me from behind whilst I wait for a gap in traffic coming out of Monmouth. No provision has been made for turning into our street, with the increased traffic there's an accident waiting to happen

Traffic congestion in this area is already out of control, traffic jams on the A40 coming from Ross are an everyday occurrence and the same with traffic coming out of town. This will only get worse as nothing is being implemented to overcome this problem

No allowance has been made to provide sound proofing defences (trees) up to say Leasebrook Lane. No indication of reduced speed limits has been made.

The report from Avebury suggests that the Marston's facility would not affect Monmouth town centre trade significantly (a requirement for planning approval under RET4) and actually benefit the town. The reality is that public houses have been closing over time, due to a lack of demand. There are several family eating facilities and if a Marston's were opened here, some trade that currently comes into Monmouth for meals will stop at Marston's, so reducing town trade, leading potentially to further closures and lost employment opportunities

The Avebury argument about bulky trades retail sites is weak. Several sites already exist, which provide additional facilities to the town centre, e.g. Wonastow road, Hadnock Road, Rockfield Road, Wyesham. There are also plenty of bulk retail establishments already, Wye Valley Country Stores, Screwfix, Mandarin Stone, Robert Price, Kitchen and Bathroom suppliers, etc. There are also vacant shops, which can be occupied, so no new retail park in Dixton is required.

Bulky goods include carpet warehouses, furniture, pc world, etc. Is it really sensible to put these on a new site at the entry to Monmouth?

The flood risk report submitted by the developer is inaccurate in its claims. It states that flooding has not impacted the site since April 1947. This is UNTRUE. Serious flooding of the site last took place in 2014! We believe the development creates significant increased flood risk obviously of particular concern for local residents.

The concept of keeping flood water in underground tanks until the river ebbs has caused alarm to Natural Resources Wales who consider it an undesirable 'last resort solution'

The Ecological Survey provided with the application is out of date. A survey not more than 2 years old should be being provided by the Developer.

There has been no consideration in this application of the viewpoints towards Monmouth, such as from the Kymin and other high points

There is compelling evidence that the proposed development will involve a reduction in Air Quality in the area that presents an avoidable risk to public health

Road noise in the area is already recognised by the Welsh Government as being a problem and the area has been prioritised for sound-reduction measures. Increasing traffic movements would be inconsistent and an arbitrary variation of the declared aim to reduce noise

Air quality concerns arising from A40 traffic pollution from Golf Links Lane to the Gibraltar tunnels has long been of concern to residents

(exceedance of limit values). This shows that there is a very high likelihood that the levels of NO2 Nitrogen Dioxide and PM (particulate matter dust) at Thursday 10th the development site is already higher than limit levels.

The consultant's report seems biased towards under-reporting the pollution, as might be expected. However, they felt obliged to acknowledge that NO2 levels already exceeded limit values and that the level of particulate pollution (PM10) was in significant excess of limit levels.

MCC has a statutory requirement to consider the impact of any development on the health of residents and of those who may use the facilities at the proposed development. Before allowing any development that involves any increase in traffic to take place at the site of this proposal, MCC

should arrange for the conduct of credible and independent detailed monitoring of current levels of air and noise pollution in the area. As a minimum, this should include monitoring the levels of NO2 and PM2.5 and PM10 in terms of annual averages and hourly averages (percentiles) using one or more fixed monitoring systems. To comply with Welsh

Government legislation (W.126: 2010 Environmental Protection Wales Air Quality Standards) if levels are found to be already at risk of being above limit levels, no development that could predictably increase levels by any amount should be permitted. I am an architect/planner with wide experience of urban and rural planning issues and am the Director of Architectural Practice at the AA School of Architecture in London. I was also involved from the outset in the restoration of Monmouth Shire Hall and have had a longstanding interest in a number of the developments in Monmouth and the surrounding lower Wye Valley area.

My objections to this development are several:

1 The Dixton Roundabout is already an overcrowded and dangerously dysfunctional piece of traffic engineering and the impact of a traffic intense fast food outlet can only exacerbate this.

2 Moving retail premises to the outer edges of the town can only suck business and income away from Monmouth Town Centre and add no value back into the town except for a very few low paid jobs.

There is only one pavement on Dixton Road which is on the opposite side of the road to the development. There is a concern for pedestrian safety (including school children) crossing the road.

When there is more traffic there is often a risk of more accidents. There have been incidents when Lorries have overturned on the roundabout, and also sad fatalities at the junction of Wye Bridge traffic lights.

Monmouth Comprehensive School:

o Potential consequences of an additional flood risk caused by the proposed development within the identified flood plain. We are aware that during the design development of our new school, Natural Resource Wales were clear on the implications of building within the flood plain were not supportable moreover detrimental to not only on our site but that of the surrounding properties / land. This proposed development seems to ignore the advice given to us from Natural Resource Wales regarding the principles of development within the flood plain moreover fixed levels of development at its relationship with flood level data including the consequences of potentially "moving flood waters" onto other properties. The proposed development is close to a busy main junction into the town and will only add an extra burden in traffic movements to an already congested and dangerous area

o The closeness of the proposed access into the site and the existing junctions also raises the concerns around highways engineering and the ability to ensure safe viewing on and off the site for vehicles, deliveries and pedestrians. Vehicular movements with and across the busy traffic flows.

o The concerns around additional traffic movements into and off the proposed site being located near to a large school (11-19), moreover the implications to safe routes to school for all our visitors and pupils, these will need to be fully tested to ensure that there is no compromise or potential conflicts to safe movements.

o The type and location of the development to the perimeter of the school adds a concerning complexity in the area of safeguarding. The proposal does not in any way address or stop the access from the development to the school site, moreover potential student movements from the school site onto the proposed development generated by its proposed uses. This is a fundamental flaw in the proposal and needs to be considered prior to any decisions.

o Monmouth is an historic town and is viewed by many of our students, parents and local residents as the Gateway into Wales. We believe that this site is of special interest and thus should, if developed be of a high quality. The proposed development of this nature is not "in keeping" with the development of a historical town especially regarding its setting, its economic requirements as a sustainable town, morphology and "sense of arrival".

I believe that our comments and objections have been well considered and relevant. We have considered them in the context of the development of our new school as well as being a neighbour to the proposal.

Monmouth Haberdashers:

Concern about adverse impact upon Monmouth School Pre-Prep and nursery located on

Dixton Lane and in very close proximity to the development:

Traffic on Dixton roundabout ongoing concern to staff and parents for a number of years now, this has resulted in the installation of a 'School' warning sign and flashing lights on the approach to the roundabout on the southbound A40.

Permitting this highly visible retail development immediately adjacent to the roundabout would increase the number and change the nature of vehicle movements in the area. Number of parking spaces are wholly inadequate to deal with the number of staff and customers with overspill onto Dixton Lane which is narrow with no pavements restricting access to emergency vehicles and coaches used by the school to transport its pupils. There is a likelihood that the school's car park would be used as an overspill.

6.1 EVALUATION

6.2 Strategic & Spatial Choices

6.2.1 Strategic Planning/ Development Plan context/ Principle of Development

The application site is an unallocated site within the Monmouth development boundary. It is constrained by the conservation area, sitting adjacent to the north-eastern tip, with views of the site from the AONB to the east of the site. The Design Commission for Wales described the site as sensitive but not precious. It is a gateway site not only into the historic town of Monmouth via Dixton Road but also into Wales from the A40 link. It is very important therefore that this development provides the sense of place when entering Monmouth and does not depict the generic development that can so often characterise key junctions on motorways and A roads. It is therefore very important the proposed development is bespoke, functional and is visually appealing and interesting from the key receptors of the site.

The site has an extensive planning history, going back as far as 1989 for a hotel, following which permission was granted on appeal in 1991 for a drive-thru restaurant, petrol filling station and 40- bedroom hotel (LPA ref. 32799). This application was refused in November 1990. However, a duplicate application (LPA ref. 32799) was subject of an appeal and allowed on 24 May 1991.

However, a long time has passed since these decisions and there is no extant planning consent on this site. The site is now within a C1 Flood Zone and must meet the tests stated in TAN 15, addressed in detail below.

6.2.2 Good Design/ Place making

There has been a significant amount of negotiation in the progression of this site, with the proposal being reduced in density and scale by removing the takeaway restaurant and drive through coffee shop from the scheme. Work commenced on trying to ensure that the development delivered a sense of place within this gateway site, with the buildings needing to reflect the context of the area and not be a single response to the end user - unfortunately this has the potential to lead to a bland and unacceptable form of development (and that had been the starting point with this scheme).

The prevailing message put to the developer was that the public house forms the lead in terms of design and the buildings should read as a 'family of buildings' with consistency of form, proportions and use of materials, etc. The form and proportion of the buildings proposed represent a significant improvement to the original proposals.

The public house has delivered in terms of design; the scale is more domestic whilst the proportions are traditional with a modern 'take' on a farmhouse providing a contemporary form of development. The external finishes proposed are a combination of natural materials reflected in the materials used on the two retail units, the combination of natural slate on the main roof with natural cedar boarding and render to the walls. There are details such as the materials and the main recessed entrance that is reflected in all three buildings that unifies the scheme. The only outstanding detail on the public house/restaurant is the large glazed unit proposed on the west elevation; this is a key part of the scheme in providing an interactive, interesting aspect of this building on a key elevation.

An agricultural scale is prevalent in both retail units proposed. The design and use of materials and fenestration are clean, natural and contemporary, with walls faced in vertical and horizontal cedar cladding, powder coated aluminium window and door frames, clipped eaves with powder coated rainwater goods. The roof material would be fibre cement panels. The proposed retail units use one solid application of materials, but vary them in application with a combination of horizontal and vertical boarding. Additional detailing is

secured within the main entrance points that are recessed and the windows and doorways set higher than the standard height, thus helping to create a more individual, bespoke design. The frontages are active with windows facing out on all of the frontages with a pedestrians walkway whilst a solid elevation is proposed to the rear and side elevation where there is no pedestrian movement.

There have been significant improvements undertaken during the course of this application with the landscaping scheme, particularly around the outside boundaries, ensuring an internal buffer in addition to the landscaping that sits around the perimeter outside of the applicant's control. An outside amenity area in association with the public house is proposed to the west of the site with an outside terrace to the north of the site enabling customers to take in the views across to the north- west of the site with the adjacent major highway buffered by the planting proposed.

The Dixon Road frontage is softened with the landscape belt proposed to the front of the site that wraps around the proposed access into the site. This coupled with the narrower, staggered gables of the Unit 1 facing Dixon Road minimises the massing impact upon this frontage, whilst the full height ground floor windows retain an active frontage that works along this busy road.

Despite this, there are aspects of this proposal that are important in creating the sense of place that have not been delivered: they are details that are important in ensuring that the development works well as a user within the site and when viewing the development from outside the application site. On consulting the Design Commission for Wales regarding the latest scheme they recognised the improvements but also stated that:

"Design quality must be pursued with the proposed development which will require high quality materials and detailing. This is important to achieve the vision set out in the visuals, which indicate a sleek and simple design that can be lost at the detailed design stage. Signage and lighting must also be carefully considered".

(i) The lighting scheme proposes 8 no. 6m high column lights, this is far too intrusive visually for this location and a lower key softer lighting scheme is required to be informed by the ecologists as well as the designers. Where street lighting columns are a necessity, these should be of a design that works well within the setting, the maximum height should be 4m, supplemented with lighting bollards. This has been requested and not delivered.

(ii) Despite numerous requests finishing details of the signage has not been provided, again this can potentially be visually intrusive, there is a totem pole proposed to the rear to attract custom from the adjacent trunk road yet no details have been provided. Whilst signage is subject to an advertisement consent application, it is necessary really to consider this amongst the overall built form of the site.

(iii) In addition to this the following information was also outstanding but are still very important in delivering a site that helps to create a sense of place by encouraging pedestrian free movement with circulation areas defined together with clarification of access connections beyond the site;

1. Details of hard surfacing materials delineation, the surface materials for car parking and pedestrian movement, (needs to be broken up using different high quality materials) with bays and pedestrian areas to be defined in a different material to the road, otherwise there would be large areas of tarmac or hard surface. Surface materials for the outdoor sitting area to tie in with pedestrian walkways for continuity of circulation, again this will need to reflect and tie into materials used for the public house. Porous materials required as an alternative to tarmac.

2. Planting bays to incorporate as rainwater gardens and therefore address surface water runoff. Details not provided. Street Furniture is essential, and needs to be incorporated with regard to sitting areas in key parts of the site. This does not have to be formal and there may be opportunities for some form of boundary treatment that doubles up as street furniture and provide some informal seating area. Details not provided

3. Bike rack and furniture materials to reflect the family of buildings. Details not provided.

4. Details of minor artefacts and structures (e.g. furniture, signage/interpretation, refuse or other storage units, signs, lighting, floodlighting and cctv installations to) Details not provided. Details of Bat and bird boxes to be provided on the proposed units.

5. Further details are required of the soft landscape areas for all private and public open space.

6. Hedgerows and hedgerow trees to be added as separation between walkways and car parking areas e.g. between Unit 1 walkway and the car park and between unit 2 and the car parking to the front of the unit (they have not shown this on the most recent layout plan and this has not been incorporated on the Landscape Strategy Plan).

7. Details of air conditioning units to ensure they remain hidden from all vantage points, this has not been delivered.

In summary, there have been significant strides made in improving the scheme and creating a sense of place that works well within this location. However, there are a number of very important factors that have not been addressed despite the Council requesting this information. It would be possible however looking at these details that this information could be covered by planning condition, although in the absence of this information the application would be refused on that basis.

Natural Resources Wales have responded today with the following comments:

We have been sent a copy of the proposed lighting plan entitled "external lighting layout", drawing No40272-Q0DA-00-00-DR-E-0901 Rev P. We have concerns with the lighting proposals, in particular, along the SW vegetated boundary and NW corner of the development - the areas where Lesser Horseshoe Bats were observed foraging previously. We advise that these areas and a route from them across Dixon Road are kept dark and, as such, the lighting proposals are revised. We understand that Kate is having further discussion with the applicant on this matter. We will therefore await revised proposals before responding formally.

This aspect is further discussed in par. 6.5 below.

6.2.3 Impact on Amenity/ Promoting Healthier Places

As this proposal relates to a retail use and a family restaurant, the uses do not have a negative impact upon amenity. However, interested parties and neighbours have raised air quality as an issue of concern. MCC Environmental Health have confirmed that the rise in traffic volumes due to the proposed development would be low and that this does have a significant impact upon air quality.

There are neighbouring properties adjacent to the site, with further residential dwellings running along Dixon Road. The landscaping proposed as part of this development helps to mitigate against any noise or massing impact, which coupled with the generous separating distance prevents there from being any impact upon amenity.

If the correct conditions were in place ensuring that the outstanding details listed under 6.2.2 (iii) above were delivered, this would provide a layout that is permeable in pedestrian movement. This would ensure that there is pedestrian connectivity from one use to another, with provision for cycles with street furniture including benches, planting areas, etc. This, in association with the other design factors with the active frontages and outside amenity areas, creates a mentally more stimulating and social environment that results in a positive impact upon the amenity enjoyed by visitors to the site.

6.2.4 The Welsh Language

There are opportunities through the signage and interpretation on the site to provide a platform for the promotion of the Welsh Language

6.2.5 Sustainable Management of Natural Resources

Surface Water drainage is a key issue in the consideration of this site. This application proposes to tackle this with rainwater gardens, porous surfaces and a drainage system that will be subject now to a SuDS application.

Appropriate planning conditions could secure the details of the rainwater goods and surfacing.

6.3 Active and Social Places

The Council's Highway Engineer has assessed how this proposal works in terms of the access and movement both within and outside of the site. In considering the requirements of pedestrian movement throughout the site, there are two points of pedestrian access from Dixon Road that form a pedestrian priority circulation route between the new buildings.

Changes of level would be addressed by means of ramps or gradients in accordance with best practice principles outlined in the Building Regulations. There is currently adequate provision for cyclists with cycle stands, although more can be done. The permeability and clear movement of pedestrians and cyclists is very much dependent upon the demarcation in surfacing materials and separation of spaces with appropriate street furniture and landscaping encouraging freedom of movement for these users. By imposing relevant planning conditions framed to identify exactly what the Council expects, this will deliver a scheme that reinforces active frontages with places to meet stop, settle and socialise. The site would also provide clear, safe landscaped links between uses, encouraging safe active travel within the site.

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

The nearest bus stop is approximately 300m from the site, so there is adequate provision of public transport. There is provision on site to cater for the bicycle. The site is 1km walking distance from town centre. The amended layout proposes the provision of a footway along the northern boundary of the development with Dixon Road and promotes two individual crossing points to the northern footway on Dixon Road. Concern has been expressed regarding the isolated nature of the site on the periphery of the town and the need for pedestrians to cross Dixon Road. The provision of the footway and the crossing points is welcomed and in this particular case following the removal of the fast food and coffee outlet, this significantly reduces the pedestrian trip generation. This precludes the need to provide controlled crossing facilities as the degree of conflict between pedestrian and vehicles and the available gaps in the traffic would not warrant the provision of a controlled crossing facility (pursuant to Department for Transport Guidance TA68/96, LTN 1/95 & LTN 2/95). It remains however that the proposed development is located on the periphery of the town and although the scale and type of development has been changed having regard to its location, together with the access routes to serve the site from the town centre is along Dixon Road, it is unlikely that this development will discourage the use of the private car.

6.3.2 Access / Highway Safety

The Highway Engineer is satisfied that the proposed access is acceptable in terms of highway safety. This is however subject to planning conditions requiring a service delivery plan for the public house / restaurant which would need to include the hours of delivery and compliance thereafter with agreed timeframes. Furthermore if the proposal is to be approved, detailed design, technical audits and safety audits for the proposed means of access off Dixon Road would have to be submitted to and approved by the Local Planning Authority. Subject to the relevant agreements and conditions the access and highway safety issues comply with planning policy.

6.3.3 Retail & Commercial Centres

The application proposal is inconsistent with the development plan retail strategy, which identifies town centre locations as the preferred location for new retail development, LDP Policies S6 and RET4. The independent retail assessor has sought to assess the significance of this conflict in context of the performance of the proposal against LDP Policy RET4 and PPW 10 requirements relating to out of centre development.

The nearest town centre in this case is Monmouth and the effect of the proposal on the vitality attractiveness, and viability of Monmouth CSA is an important consideration.

Paragraph 4.3.3 (PPW10) is to "sustain and enhance retail and commercial centres' vibrancy, viability and attractiveness; and improve access to, and within".

With regard to the 'Needs Test' 4.3.13, it is important that communities have access to adequate levels of retail provision. Evidence should demonstrate whether retail provision is adequate or not, by assessing if there is further expenditure capacity in a catchment area (quantitative need) or if there is a lack of retail quality, range of goods or accessibility (qualitative need).

As referred to by para 4.3.18, Welsh Government operates a 'town centres first' policy in relation to the location of new retail and commercial centre development. In implementing this policy, planning authorities should adopt a sequential approach to the selection of new sites in their development plan and when determining planning applications for retail and other complementary uses. By adopting a sequential approach first preference should be to locate new development within a retail and commercial centre defined in the development plan hierarchy of centres. Par. 4.3.19 sets out that developers should demonstrate that all

potential retail and commercial centre options, and then edge-of-centre options, have been thoroughly assessed using the sequential approach before out-of-centre sites are considered. Para 4.3.23 states that, 'Some types of retail store, such as those selling bulky goods and requiring large showrooms, may not be able to find suitable sites or buildings within existing retail and commercial centres. Where this is the case such stores should in the first instance be located on sites identified for such a purpose in the development plan, preferably on an edge of centre site. Where such sites are not available or suitable, other sites at the edge of retail and commercial centres, followed by out-of-centre locations may be considered subject to impact and needs tests.'

In this case the sequential tests for both retail and the Public House/Restaurant were considered to be passed. The quantitative impact on the town centre's comparison trade as a whole would, at less than 5%, be modest. The high level of impact on the 'bulky goods' sector is because of the relatively small representation of stores selling 'bulky goods' in Monmouth. The actual scale of impact and where it would fall would depend on the actual occupiers of the proposed units, and the degree to which they would clawback trade from facilities elsewhere, and/or impact on existing shops in the town centre. Similarly, without more information on potential occupiers, it is difficult to form a clear judgement on the extent to which the proposed retail units might have a detrimental impact on future private investment in the town centre (LDP Policy RET4, criterion (d)).

In response, the Council have sought further information regarding the end users of the retail units, thus enabling a full impact assessment to be undertaken. It is necessary also given the current state of the retail sector to provide some comfort that there is a 'bulky goods' retailer willing to commit to this site. The worst case scenario would be where the Council are left potentially with vacant retail units, as there are no bulky goods retailers to occupy them and subsequently under pressure to consider alternative uses that may be potentially more unsuitable for this location and damaging to the town centre.

The applicant was unable to provide any comfort that there was a bulky goods retailer ready to occupy these new units.

In recent years there have been major economic changes affecting retailing and particularly market towns. The post-2008 recession hastened changes that would otherwise have occurred in shopper behaviour patterns. The growth of internet based shopping and relative strengthening of larger shopping centres at the expense of smaller centres has become more pronounced.

Monmouth benefits from its attractive historic centre, and this has enabled it to perform relatively better than many market towns. However, it does not make it immune from the pressures facing small town centres now, and it is believed that the proposed retail units do give rise to the risk of unacceptable detrimental impact on the vitality and viability of the town centre.

The vulnerability of the Town Centre can be demonstrated with the most up to date vacant units survey that was undertaken in November 2018. The figures are as follows:

Year	No. Vacant Units	% Overall Vacancy	% Primary Units Vacant	% Secondary Units Vacant
2003	19	10.1	9.1	11.9
2005	11	6.2	5.2	8.2
2006	9	5.2	6.3	3.3
2007	16	9.1	8	10.9
2008	12	6.8	4.5	10.9
2009	9	5.1	3.5	7.9
2010	14	8	6.3	10.9
2012	11	6.2	7	4.5
2013	14	7.4	8.1	6.1
2014	16	8.3	9.9	6
2015	15	8.1	6.9	10.9

2016	9	4.9	3.1	9.1
2017	20	10.4	8.33	14.3
2018	19	10.1	9.1	12.3

There is clearly a worsening trend in the vacancy rates of the town centre.

It is the judgement of the Council's retail assessor, however, that the impact of the proposed public house / restaurant would not be of a scale to threaten the role played by public houses / restaurants in supporting the vitality and viability of the town centre.

The view of the assessor has remained unchanged during the course of this application - that despite Monmouth town centre exhibiting some positive signs in terms of its offer and attractiveness to residents and visitors, it is potentially vulnerable (like many centres of its size). The proposed development, in this case the retail units (but not the public house), will have an unacceptable detrimental impact on the viability and vitality of the town centre contrary to the LDP policies S6 and RET4.

6.4 Productive and Enterprising Places

One of the positives promoted by the applicant in support of the planning application is that of economic development and the creation of up to 55 jobs between the proposed public house and retail sector. The total number of new jobs created is not under question; what is of concern is the overall net gain in terms of jobs created. Indeed, without a full understanding of the potential impact upon the town centre stemming from a lack of knowledge on who the potential end user is, it is not clear how much this development will be at the cost of retailers within the town centre and a subsequent loss of jobs. In addition, there is concern regarding the quality of the jobs created in the hospitality and retail sector, which are typically low paid, low skilled jobs, and which both MCC Economic Development and the local Chamber of Commerce have confirmed, is a sector that is struggling to recruit.

6.4.4 Transportation Infrastructure

Careful attention has been paid to the requirements of pedestrian movement throughout the site, with two points of pedestrian access from Dixon Road that form a pedestrian priority circulation route between all of the new buildings with changes of level by means of ramps or gradients in accordance with best practice principles outlined in the Building Regulations. Vehicular access to the entire site is via the new vehicular access proposed from Dixon Road. This had been designed to accord with the recommendations made by the Council's Highways Department.

There is adequate provision for cyclists proposed for the scheme. Finally, there are 89 designated parking spaces provided within the car parking area with provision for disabled drivers included. This meets the requirement for car parking. The nearest bus stop is approximately 300m from the site, so use of public transport is within an adequate distance of the site. The Transport Infrastructure meets the requirements of the Council's Highway Engineers subject to the imposition of relevant planning conditions

6.5 Distinctive & Natural Places

This development has sought to deliver a distinctive bespoke design through a strong built form that works as a family of buildings working alongside a layout driven by a strong Green Infrastructure scheme. The latter seeks to ensure the existing boundaries are re-enforced by additional planting to minimise any impact upon the Conservation Area and the wider historic environment. The GI proposed also helps to create a distinctive place to visit with conditions required to secure appropriate surfacing materials and delineation of spaces. This ensures there is a pedestrian-focused development that encourages interaction and a cross over by visitors to the different uses on site. As identified above, the scheme has managed to go some way in achieving this although details omitted including signage, street furniture and rainwater gardens are key in helping to make the site a distinctive natural place or alternatively significantly detract from achieving this. The proposed lighting scheme is unacceptable, with the numerous 6m high lighting columns not in keeping with

the context of this site, high totem pole signage may be visually inappropriate and intrusive, details that the Local Planning Authority would have needed to approve if the proposal was to be considered acceptable.

6.5.1 Landscape/ Visual Impact

As discussed this is a highly sensitive site on the edge of a Conservation Area and importantly on the gateway into Wales, there are a number of viewpoints provided of the proposed development within the LVIA. These viewpoints do show how the development sits comfortably within its surroundings. This is primarily due to the landscaping that is both existing and proposed and the scale and form of the proposed built form. The application has proposed a strong landscaping scheme that reinforces planting on the periphery of the site and the new entrance to the site, helping the development to assimilate into the local area, including the rural backdrop to the north and the Wye Valley AONB to the east of the site.

However, during the twilight hours with the proposed lighting scheme this will make the scheme highly visible and visually intrusive within the landscape. The extent of the light pollution is not entirely clear although the height, number and method of lighting the site is at variance with the context of this rural high quality commercial development and detracts significantly from the scheme. This element is currently unacceptable and would thus form a reason for refusal of the application.

6.5.2 Historic Environment

Impact upon the Conservation Area:

The historic environment goes beyond the Dixton Conservation Area that sits immediately adjacent to the northern boundary of the site. Monmouth is an historic market town with an important national history, it is a compact and well-delineated settlement and regeneration has focused on the enhancement and conservation of the town's historic buildings. This has provided a unique and individual shopping and dining experience suited to the nature of the buildings that make up its character and the valuable local and tourist trade. The result is a historic market town with the character of its historic buildings and historic context an integral factor in the visitor experience. To undermine this town centre potentially by this development resulting in further vacant units in the town centre will remove investment and undermine the vitality of the town centre. Therefore, whilst the physical built form is considered to have an acceptable impact upon the Conservation Area because of the scheme's design, layout and extensive landscaping on the periphery of the site, it could be argued that as a result of the potential impact that the proposed retail development has upon the town centre that this could have a detrimental impact upon the town centre undermining the historic core of Monmouth. However, this remains a concern due to an indirect impact and does not substantiate a reason for refusal in its own right.

6.5.3 Green Infrastructure

This has been a key part in the negotiation of this site. Green Infrastructure has helped to shape the layout, influence the design and promote a sense of place between the proposed 'family' of buildings. The connectivity within the site works, but due to the constraints with the two major roads framing two of the three sides of this triangular site, the opportunities to connect beyond the site is limited. However, the peripheral planting is instrumental in helping the development to assimilate visually into the local area and to soften the proposed development from key vantage points. The Green Infrastructure also helps to frame key aspects of the site that need to be addressed in terms of design and helping to create a distinctive and natural place.

6.5.4 Biodiversity

There are two aspects of concern raised. The first is that the bat and bird boxes required as an enhancement to the scheme has not been incorporated into the proposed plans, and so this aspect cannot be covered by a planning condition. There are concerns with the lighting proposed along the south west vegetated boundary and north west corner of the development site, i.e. the areas where Lesser Horseshoe Bats were observed foraging previously. The issue is that the plan does not provide light spillage drawings, making it difficult to demonstrate how light spill is to be reduced to the minimum levels possible.

The proposed lighting along the south west boundary and the service/car parking areas should be replaced with more appropriate lighting, for example, bollard lighting with cowls which direct light into the development site only. (a planning condition could cover this in the event that consent is granted).

A revised lighting plan is required taking into account the above points. The revised lighting plan should ensure the lighting spillage is reduced to minimum levels possible to the vegetation along the south west boundary and in the north-west corner of the site. In the absence of this, this element of the proposal forms a reason for refusal.

6.5.5 Flooding

The proposed development is for non-vulnerable development in a C1 flood zone. The applicants have looked to work with a number of options on the site. Option 1 was to lower the land and ground level thus preventing any wider impact upon key receptors/dwellings outside of the site. This proved logistically to present an engineering challenge to facilitate access into the lowered site and was discarded as a viable option. The third option was to raise site levels so that the floor level of the development was high enough to meet the 1 in 100 year flood level. However this resulted in the land levels being raised significantly that was potentially visually intrusive and had a greater impact upon local dwellings who would experience an increase in their flood water level. The final alternative that the developers determined was the most sensible option was option 2 - to keep the floor levels broadly where they are, and details in accordance with this option were submitted accordingly.

NRW have objected for the following reasons:

The proposal fails to demonstrate that the risks and consequences of flooding can be managed to an acceptable level in accordance with TAN15.

Furthermore, the FCA has used flood data which is now considered out of date. The new data will not change the potential consequences of flooding to and from the site, as it will show a greater risk of flooding compared to the flood data used to inform the December 2015 FCA.

These depths exceed the indicative tolerable conditions set out in A1.15. Again, when the most up to date data is considered these predicted depths increase.

Further information regarding the speed of inundation, and rate of rise of floodwaters have not been assessed against the A1.15 criteria.

Impacts on flood risk elsewhere, whilst the FCA shows a negligible increase in flood impact to receptors. The FCA did not provide any calculations or commentary on how it came to this conclusion. Therefore, NRW were unable to advise on the acceptability of this criterion.

There is no specific information/summary of the depths, velocities and flood hazards along the route which should be included within the FCA. However, NRW have undertaken their own calculation and have concluded the values exceed the guidance set out for access in table A1.15 of TAN 15. Policy SD3 requires that less vulnerable built development will be permitted within defined settlements or on sites allocated for uses such as employment. Development proposals within a flood plain will be required to a) demonstrate that the development is or can be protected by approved engineering works and b) or other flood protection measures and such remedial measures would not cause flooding or significantly increase the risk of flooding elsewhere. This proposal fails to accord with planning policy in particular it fails to demonstrate that development is or can be protected by approved engineering works, or does not increase the risk of flooding elsewhere.

The data that the calculations have been based on is now incorrect the result being that the results are actually under estimated in terms of the likely flood levels in both the 1 in 100 year and 1 in 1000 year event. In both cases, based on incorrect data the retail units is 1m under water in the 1 in 100 year event and 2.28m in the 1 in 1000 year event.

There is insufficient information provided to enable a qualified assessment on the impact upon key receptors to be calculated. Further information relating to the speed of inundation, and rate of rise of floodwaters have not been assessed due to insufficient information submitted.

It is concluded that the proposal fails to accord with national planning guidance and relevant planning policy.

6.5.6 Water (including foul drainage / SuDS), Air, Soundscape & Light

There are very high ground water levels experienced in this general area, which may well adversely affect any surface water drainage arrangements put in place as part of proposed

works. Any change of land use impacts upon the natural hydrological cycle. With developments such as this the increase in impermeable area will increase run off and, if not controlled appropriately, have a high potential to increase flood risk elsewhere. This issue would be covered as part of a SuDS application.

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

All of the concerns raised that are planning issues are addressed in the paragraphs above.

6.7 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 WCFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WCFG 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 WCFG Act.

6.8 Conclusion

Conclusion

The application site is an unallocated site within the Monmouth development boundary. The site is described as sensitive but not precious, a gateway site on the fringe of a Conservation Area into a Historic Town. The scheme has been subject to significant changes to reduce density and scale and seeking to deliver a sense of place within this gateway site that is appropriate to this location, with the buildings needing to reflect the context of the area and not be a single response to the end user. In addition to the design of the building there have been significant improvements undertaken during the course of this application with the landscaping scheme, particularly around the outside boundaries. An outside amenity area in association with the public house is proposed to the west of the site with an outside terrace to the north of the site enabling customers to take in the views across to the north west of the site with the adjacent major highway buffered by the planting proposed. Despite this, there remain details that have not been submitted relating to lighting, (the current scheme is unacceptable), details outstanding regarding signage, street furniture surfacing materials, all details that are intrinsically important to the design of the scheme and creating the sense of place that is one of the key factors in making this scheme work. However, these remain details that (all other aspects being acceptable) can be secured as planning conditions.

The Highway Engineer, has concluded that all aspects of the scheme relating to pedestrian and vehicular access, car parking and circulation are acceptable subject to legal agreements securing pedestrian access points and appropriate planning conditions. The transport hierarchy has been considered and the site delivers (subject to conditions) access to public transport, provision on site for cyclists and permeability for pedestrians. It is recognised however, that its location will inevitably result in being accessed predominantly by the car user. There is concern regarding the isolated nature of the site on the periphery of the town and the need for pedestrians to cross Dixon Road. The provision of the footway and the crossing points are welcomed and together with the other measures incorporated within the scheme meet highway requirements. However, the application proposal is inconsistent with the development plan retail strategy, which identifies town centre locations as the preferred location for new retail development, LDP Policies S6 and RET4. The Council's independent retail assessor has sought to assess the significance of this conflict in context of the performance of the proposal against LDP Policy RET4 and PPW 10 requirements relating to out of centre development. The effect of the proposal on the vitality attractiveness, and viability of Monmouth CSA is a very important consideration. National Guidance, PPW10 (Paragraph 4.3.3), is to "sustain and enhance retail and commercial centres' vibrancy, viability and attractiveness; and improve access to, and within".

With regard to the 'Needs Test' it is important that communities have access to adequate levels of retail provision. Evidence should demonstrate whether retail provision is adequate

or not by assessing if there is further expenditure capacity in a catchment area (quantitative need) or if there is a lack of retail quality, range of goods or accessibility (qualitative need). However, no end user was delivered in this case and a need can only be fully assessed when there is an understanding of the type of bulky goods that is being considered.

Welsh Government operates a 'town centres first' policy in relation to the location of new retail and commercial centre development. In implementing this policy, planning authorities should adopt a sequential approach to the selection of new sites in their development plan and when determining planning applications for retail and other complementary uses. In this case the sequential tests for both retail and the Public House/Restaurant were passed.

However, the proposal fails to meet the impact test. The quantitative impact on the town centre's comparison trade as a whole would, at less than 5%, be modest. The high level of impact on the 'bulky goods' sector is because of the relatively small representation of stores selling 'bulky goods' in Monmouth. The scale of the impact on the town centre, and where it would fall would depend on the actual occupiers of the proposed units, and the degree to which they would clawback trade from facilities elsewhere, and/or impact on existing shops in the town centre. Indeed, without more information on potential occupiers, it is difficult to form a clear judgement on the extent to which the proposed retail units might have a detrimental impact on future private investment in the town centre (LDP Policy RET4, criterion (d)). The developer has sought to secure this through a condition restricting the development to a particular definition of bulky goods, restricting any other user occupying the units that may potentially undermine the town centre. However, it is necessary given the current state of the retail sector, to provide assurance that there is a 'bulky goods' retailer willing to commit to this site and the Council are not left with 'white elephants' on the site with subsequent pressure to give them a beneficial use from other potentially more damaging retail uses. It is the judgement of the assessor that the impact of the proposed public house / restaurant would not be of a scale to threaten the role played by public houses / restaurants in supporting the vitality and viability of the town centre.

The view of the independent assessor has remained unchanged during the course of this application - that despite Monmouth town centre exhibiting some positive signs in terms of its offer and attractiveness to residents and visitors, it is potentially vulnerable (like many centres of its size). The proposed development, in this case the retail units (but not the public house), will have an unacceptable detrimental impact on the viability and vitality of the town centre contrary to the LDP Policies S6 and RET4. The proposal fails to comply with national guidance PPW10 and local planning policy in this case.

There is a potential economic benefit from this site, although this is not clear due to a lack of information regarding the end users thus making it unclear what the potential job loss would be upon the employers within the town centre. This is coupled with the proposed quality of the jobs offered which are typically low skilled and low paid and therefore this is not an overwhelming factor for consideration in approving this application.

The proposed development is for non-vulnerable development in a C1 flood zone. NRW have objected for a number of reasons, as set out in par. 6.5.5 above.

Policy SD3 requires that less vulnerable built development will be permitted within defined settlements or on sites allocated for uses such as employment. Development proposals within a flood plain will be required to a) demonstrate that the development is or can be protected by approved engineering works and b) or other flood protection measures and such remedial measures would not cause flooding or significantly increase the risk of flooding elsewhere. This proposal fails to accord with planning policy in particular it fails to demonstrate that development is or can be protected by approved engineering works, or does not increase the risk of flooding elsewhere.

The proposal fails on three grounds, retail impact, flooding and lighting, and in line with national guidance and LDP policy is recommended for refusal accordingly.

7.0 RECOMMENDATION: REFUSE

Reasons for Refusal:

1. The retail elements of the proposed development (not including the public house) will have an unacceptable detrimental impact on the viability and vitality of the town centre contrary to national guidance, namely Planning Policy Wales 10 (PPW10) and policies S6 and RET4 of the Monmouthshire Local Development Plan (LDP). The application has failed on two counts in that there has been no evidence forwarded relating to an end user that can substantiate a need for the proposed retail use within this location, and secondly, in the absence of information regarding the end user and the goods that would be sold, there can be no forward judgements able to be made regarding clawback and the impact on Monmouth town centre.

2. The proposed development fails to comply with PPW Technical Advice Note 15 and Policy SD3 of the Local Development Plan. The proposed development is for non-vulnerable development in a C1 flood zone and has failed to demonstrate that the risks and consequences of flooding can be managed to an acceptable level in accordance with TAN15. These depths exceed the indicative tolerable conditions. The Flood Consequences Assessment uses out-dated information, whilst the latest information when applied would lead to a greater risk of flooding than that indicated. There is a significant lack of information provided to demonstrate that the engineering works and other flood protection measures would not cause flooding or significantly increase the risk of flooding elsewhere.

3. The proposed lighting elements of the scheme would be excessive in scale and form, given the edge of settlement location. The lighting proposed would cause excessive illumination of the development in a sensitive, gateway location. As such, the proposal would be contrary to policies S13, EP13 and NE1 of the LDP.