

Application Number: DC/2017/01248

Proposal: Proposed riverside pavilion building, deck and river access structure (revised scheme).

Address: Chepstow Castle Car Park, Bridge Street, Chepstow

Applicant: Thomas Evans Ltd.

Plans: FCA Thomas Evans - 2, Ecology Report Environmental Methods - May 2018, Heritage Statement Edward Holland - March 2018, Block Plan 177 120 - Proposed Lay out, Floor Plans - Proposed 177 123 - Proposed First Floor Pla, Floor Plans - Proposed 177 122 - Proposed Ground Floor Pl, Elevations - Proposed 177 131 - NE Elevation, Elevations - Proposed 177 132 - NW Elevation, Proposed Roof Plan 177 124 - Roof Plan, Elevations - Proposed 177 130 - SE Elevation, Site Plan 177 121 - Site Plan, Elevations - Proposed 177 133 - SW Elevation,

RECOMMENDATION: APPROVE

Case Officer: Ms. Kate Young
Date Valid: 24.10.2017

This application is presented to Planning Committee due to the application receiving five or more objections

1.1 APPLICATION DETAILS

1.2 In 2007 planning permission was granted for a river cruise terminal on this site. This included a single storey building and a gangway to gain access to boats in the river. Following this approval, the process of detailed development focused on an improved means of gaining access to the river in order to board the craft. A revised proposal incorporating a set of precast concrete steps was approved as a minor amendment in June 2009. In 2012 an extension to the standard five years in which to commence the development was approved.

1.3 The current application seeks alterations to the terminal building, increasing its height to a two storey structure. The external decking area and an articulating gangway structure built into the River Wye will remain unchanged from the previously approved scheme.

1.4 The building would be situated in the existing Castle car park and would take up six car parking spaces. The site is within the Chepstow Conservation Area, an archaeologically sensitive area (ASA) and within the setting of a Scheduled Ancient Monument (Chepstow Castle). The site is also located on the edge of but within the Wye Valley AONB and within a flood zone. The River Wye is also designated as a SSSI and a Special Area of Conservation (SAC).

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DC/2012/00544	Variation of Condition No. 1 of Planning Permission DC/2006/01205	Approved	30.10.2012

DC/2006/01205	Proposed river cruise terminal and access gangway.	Approved	29.06.2007
DC/1980/00868	Parking Of 3 Mini Buses APP_TYP 01 = Full DEV_TYP 04 = Change Of Use MAP_REF = 342651200189	Approved	19.12.1980
DC/2017/01248	Proposed riverside pavilion building, deck and river access structure (revised scheme).	Pending Determination	

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S5 LDP Community and Recreation Facilities
S6 LDP Retail Hierarchy
S8 LDP Enterprise and Economy
S11 LDP Visitor Economy
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design
S15 LDP Minerals

Development Management Policies

CRF1 LDP Retention of Existing Community Facilities
RET4 LDP New Retail Proposals
E2 LDP Non-Allocated Employment Sites
SD3 LDP Flood Risk
LC4 LDP Wye Valley AONB
EP1 LDP Amenity and Environmental Protection
MV1 LDP Proposed Developments and Highway Considerations
DES1 LDP General Design Considerations
HE1 LDP Development in Conservation Areas
LC5 LDP Protection and Enhancement of Landscape Character
M2 LDP Minerals Safeguarding Areas
NE1 LDP Nature Conservation and Development

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

Chepstow Town Council - Members see the value of this business but would like to see the café sited elsewhere in Chepstow, for example on the Mabey Bridge site so that it does not impact on views of Chepstow Castle.

Glamorgan Gwent Archaeological Trust - The application area is located adjoining the Scheduled Ancient Monument of Chepstow Castle (Cadw ref: MM003) and within the Lower Wye Valley Registered Landscape of Outstanding Historic Interest, within character areas HLCA003 Chepstow. It is within the Medieval walled town of Chepstow and close to the main entrance to the 11th century castle. The recent Urban Waterfronts of South East Wales project identified the application area as being in a potentially important area of historic port and dock facilities and consequently any development in the area is likely to impact on the buried archaeological resource. A condition will require the applicant to submit and implement a programme of archaeological work in accordance with a written scheme of investigation. We envisage that this programme of work would be an intensive archaeological watching brief during any ground disturbing work.

Cadw - The Heritage Impact Assessment has followed the correct WG Guidance. The Assessment shows that the proposed development will be located in the significant views between Chepstow Castle and the Wye Bridge and of the Castle from the north back of the River Wye. The proposed development will be visible in the significant views from the Castle to the Wye Bridge, but will not block it and the building will be screened even in winter by existing trees. Consequently, the proposed building will have a very slight visual impact on this significant view. The proposed development will add an additional structure to the view from the Wye Bridge to the Castle. It will be seen along with the buildings of Travis Perkins and will therefore extend the range of modern buildings in the foreground of this view further to the east; however it will not block the view of the Castle which is at a higher level. We therefore consider that this will have a moderate visual impact on this significant view.

In the views from the north bank of the river, the development will be seen as a two storey modern structure in the existing flat car park. It will be at a lower level and will not block views of the Castle. It will also be separated from the Castle by the existing tall trees which have already added a vertical element into this view. We consider that this will have a moderate visual impact on this significant view. The proposed development will therefore have a visual impact on the significant views to and from the Castle; however it will not block these views and will be seen along with other modern buildings and with the movement of cars in the car park. Consequently, whilst it will have a slight adverse impact on the way the Castle is appreciated, experienced and understood this will not constitute a significant change and will not cause harm within the setting of the scheduled monument.

National Resources Wales (NRW) - we have considered the 'Chepstow Riverside Pavilion Flood Consequence Assessment' by JBA Consulting, dated February 2019 (Version 3). We acknowledge that the Flood Consequences Assessment (FCA) assesses the proposal against the full 75 years lifetime of development i.e. the risk up to 2094, accounting for the full allowance of climate change. Accordingly, the proposed finished floor level (FFL) of the building has been readjusted to 10.28m AOD. The current flood defences have a crest of 9.5m AOD. The FCA states that in the 0.5% (1 in 200 year) plus climate change, 2094 event, the predicted flood level for the site is 10.278m AOD. Based on the proposed FFL of 10.28m AOD, it is predicted that the building will be flood free during this flood event, and therefore compliant with requirements of A1.14 of TAN 15. The FCA states that in the 0.5% (1 in 200 year) plus climate change, 2094 event, the predicted flood level for the site is 10.278m AOD. Based on the proposed FFL of 10.28m AOD, it is predicted that the building will be flood free during this flood event, and therefore compliant with requirements of A1.14 of TAN 15.

If your authority is satisfied the risks and consequences of flooding can be acceptably managed, we request that a planning condition is secured to any permission granted stating that the

development must accord with the FCA and that finished floor levels are set no lower than 10.28 metres above Ordnance Datum (AOD) (Newlyn).

We have been in discussions with the developer regarding the potential impact from the development on the NRW maintained flood defence. To raise the standard of protection of the defence in future, whether by increasing the height of the existing embankment or by building a flood defence wall, the structure will have to tie into the proposed development. There does not appear to be any options for diverting the defence around the building.

MCC Biodiversity

Ecological Considerations

The proposed development site is immediately adjacent to (café/terminal building) and partly within (funicular access structure) the River Wye SAC, and is within the 100m Zone of Influence buffer for the Wye Valley and Forest of Dean Bat Sites SAC, due to a supporting lesser horseshoe roost in Chepstow Castle. There is potential for significant effects to the SACs and therefore a Habitat Regulations Assessment is required by Regulation 63 of the Conservation of Habitats and Species Regulations 2017, in accordance with the EC Habitats Directive (Council Directive 92/43/EDC) before the Council as the 'Competent Authority' under the Regulations can grant permission for the project.

To inform this assessment two ecological assessments have been submitted:

Wye Valley Special Area of Conservation Proposal Significance Test, Revision 2. Produced by Hall and Bednarczyk, dated October 2017.

Ecological Information for the Test of Likely Significant Effects on the River Wye SAC. Produced by Environmental Methods, dated May 2018.

The assessments have provided sufficient information to complete the assessment. Using conditions to secure mitigation that has been embedded in the scheme (timing of works, method of piling) and standard pre-commencement conditions to provide a lighting scheme and Ecological Construction Method Statement, it is concluded that the project will not adversely affect the integrity of the protected sites.

Planning conditions are recommended by the Council Ecologist.

MCC Highways - No objection subject to the replacement of the six "lost" parking spaces.

MCC Heritage Officer - No objection.

The proposals consists of a new build structure situated to the rear of the carpark adjacent to the river. The site is inside the Chepstow Conservation Area, adjacent to the Scheduled Ancient Monument (Chepstow Castle) and within the setting of numerous listed buildings. The site is also within the archaeologically sensitive area and the Lower Wye Registered Historic Landscape. These designations show that the site has a sensitive and special historical character.

As the Castle is listed and Scheduled, the scheduling takes precedence and so the comments from Cadw address the impact on the Scheduled Ancient Monument(SAM).

Cadw has provided comments in relation to the impact on the SAM, and GGAT have commented in relation to the underground archaeology and impact within the ASA. Therefore it is the role of the LPA to consider the impact on the listed buildings and their setting, together with the impact on the character or appearance of the conservation area.

In relation to the impact on the setting of the listed buildings in accordance with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The development is set to the rear of the car park, where the closest listed buildings (apart from the castle, which is considered as a SAM). The position of the pavilion set back into the site means that it is quite visually separate from the listed buildings along Bridge Street. The new building and the listed buildings would not be viewed together as the car park and associated paraphernalia provides a visual break. The setting of the town houses and villas would not be harmed by a structure to the rear of the car

park. Therefore the impact on the setting of the listed buildings is considered to be neutral and the proposal preserves the buildings special character and their setting.

In relation to section 72 of the above act, the proposals have been considered in relation to the impact on the conservation area. The site is within character area 3 of the Chepstow Conservation Area Appraisal adopted at Supplementary Planning Guidance in 2016. This part of the CA is characterised by the Castle and the immediate environs around the standing structures. The Castle occupies a prominent location on the edge of the river in an elevated position overlooking the lower portions of Bridge Street. Therefore it is a distinctive landmark for the town, especially when viewed from the river or from English river banks. Its prominence is enhanced by the size and scale of the standing remains with the distinctive towers including the outer gatehouse, great hall and great tower extending up the side of the banks. The proposed new building is set away from the Castle to the south, however it would be visible when viewing the Castle from the river or from the opposite side. The building has been designed to appear as a utilitarian structure set on the side of the riverbank, maintaining the current tree line which will soften the impact of the new building. Permission has already been granted for the erection of a building in the site, this application seeks a change in the design and height of the building. Therefore it is this element that is considered in relation to the desirability of preserving the setting or appearance of the conservation area. The amended design and the increase in height is not considered to fail to preserve the character or appearance of the conservation area when considering the current extant approval. The increase in height is not considered detrimental so as to warrant refusal as it is not considered to be overly dominant or obtrusive in views towards the Castle. The design and position of the building have been carefully considered and justified in the Heritage Impact Assessment and therefore there are no adverse comments.

5.2 Neighbour Notification

Letter of objection received from 15 addresses.

There were concerns over the original application

Siting and design are not appropriate

Further facilities may be required in future such as a fuel bowser and floodlights

An excuse to open a new café which may open late

Noise and light pollution

Visual impact on the castle

An alternative location should be sought

Very dangerous for river boats

Café should not be considered without the boat trips

Placing any structure in the proposed location intrudes on the view of the castle when seen on entering lower Chepstow and Wales over the 200 year old five span iron bridge; cannot understand why the planners and CADW did not object to the original proposal on these grounds alone; this new submission now calls for a two storey structure which increases the intrusion on this view of the castle

No approval for the pleasure boat licence and no boats available

Need to first prove that the boat facility is safe and viable

Insufficient neighbour consultation

Who owns the river bank?

Adverse impact on the castle

Loss of parking spaces

Adequate food facilities available in Chepstow

Unused space in the TIC could be used

Area left in a messy state

A carbuncle on the river bank

Incompatible with the historic town

Commercial development should be sited closer to the railway station

Possibility that the venture will fail leaving it open to commercial exploitation

River Wye is dangerous in this location

Little detail about boat safety

Will lead to a drinks licence

Increased light and noise pollution

Increase in traffic
This is a green site
Contrary to policy S8 of the LDP
High tides make the river cruise business unviable
Little sunlight on the proposed decking
Detract from the other food outlets in the area
Adverse impact on Chepstow's iconic scene
Building will be larger
Unsympathetic finishing materials
Proposed steps will have a huge visual impact
Does not enhance the area
Two story building will
Impact on the AONB

One letter of support received:

Elegant Building
Benefits to tourism
More robust economic model
Economic stimulus to Lower Chepstow
Local businesses will benefit from higher footfall
The proposed building is more self-effacing than its predecessor
Visual enhancement to the area
Investment in the local economy
A forward thinking project

5.3 Other Representations

Forest of Dean District Council - Objects.

Loss of views from the district towards the Castle and the Old Wye Bridge.

Tidenham Parish Council - No comment.

6.1 EVALUATION

6.2 Strategic & Spatial Choices

6.2.1 Principle of Development

Planning permission was granted for a single storey river cruise terminal on this site in October 2012 and was extant at the time that this current application was submitted. Although the LDP has been adopted since that time, the policies affecting this proposal are largely similar to those in the predecessor UDP. There has been no significant material planning changes since that approval. The main issue to consider in this case is the impact of a two storey building on this footprint rather than a single storey building. The footprint, decking and steps to the river have not altered from the approved scheme. The proposal is to provide a tourist facility in the historic centre of Chepstow.

6.2.2 Good Design/ Place making

The approved building which measures 13m by 6m had an inverted roof that was a maximum of 3.7 metres in height. The building would have been finished in render and timber cladding with an aluminium standing seam roof. The current proposal measures 14m by 10m. It would have an eaves height of 5.4m and an overall ridge height of 8.5m. It is mainly clad in hardwood timber which will weather to a silver hue over time. The main issue in this case is the increased visual impact resulting from the proposed two storey structure over and above that of the approved single storey structure. A Heritage Impact Assessment was submitted as part of the application. The new proposal which is the subject of the current planning application occupies the same building footprint but is of two storeys and has a simpler pitched roof. The increased space created allows greater flexibility and better facilities for the visiting public.

The applicant's Design & Access Statement states that "the proposal is modest in scale and respects its historical location". The revised design is taller than that previously approved but this is partly a response to a requirement to consider flood prevention requirements. The pitched roof now shown is simpler than the previous winged roof and intends the structure to be read as a one and a half storey shed rather than a two-storey building. The summary of the Heritage Impact Assessment evaluated the magnitude of the impact of the proposed development in a number of different ways and has concluded that if it were implemented Chepstow Castle would remain predominant in all views throughout the surrounding area and its significance would be unaffected. Cadw has evaluated the Heritage Impact Assessment and assessed that the Heritage Impact Assessment has followed the correct WG Guidance. The Assessment shows that the proposed development will be located in the significant views between Chepstow Castle and the Wye Bridge and of the Castle from the north back of the River Wye. The proposed development will be visible in the significant views from the Castle to the Wye Bridge, but will not block it and the building will be screened even in winter by existing trees. Consequently, the proposed building will have a very slight visual impact on this significant view. The proposed development will add an additional structure to the view from the Wye Bridge to the Castle. It will be seen along with the buildings of Travis Perkins and will therefore extend the range of modern buildings in the foreground of this view further to the east but it will not block the view of the Castle which is at a higher level. Thus it is considered that this will have a moderate visual impact on this significant view.

In the views from the north bank of the river, the development will be seen as a two storey modern structure in the existing flat car park. It will be at a lower level and will not block views of the Castle. It will also be separated from the Castle by the existing tall trees which have already added a vertical element into this view. Cadw consider that this will have a moderate visual impact on this significant view. The proposed development will therefore have a visual impact on the significant views to and from the Castle, although it will not block these views and will be seen along with other modern buildings and with the movement of cars in the car park. Consequently, whilst it will have a slight adverse impact on the way the castle is appreciated, experienced and understood this will not constitute a significant change and will not cause harm within the setting of the scheduled monument.

The simpler design of the building means that it is more in keeping with the historical buildings in this area of the Chepstow Conservation area. The increase in height does not detract from the setting of the listed Castle because the proposed building is set at a lower level and partly screened from views into and out of the castle by the existing mature trees that are growing between the proposed site and the Castle. The proposal does respect the existing form, scale, siting massing and materials of its setting and the neighbouring quality buildings. The natural views and panoramas including the Castle, the River Wye Bridge and other buildings within the conservation area have been addressed in detail in the Heritage Impact Assessment and the proposal has been shown to respect these. The proposal will help to contribute to a sense of place and will enhance the appearance of this part of the carpark making a positive contribution to the historic area. The proposed building will use building techniques and design styles which will enhance this area and it has been designed to look similar to an historic boat shed. The design has been carefully thought through and accords with the objectives of Policy DES1 of the LDP and the design aspirations of PPW10.

6.1.3 Impact on Amenity/ Promoting Healthier Places

There are no residential properties directly adjacent to this site although there is a row of dwellings on the opposite bank of the river that face into this site. An assessment needs to be made on the additional harm to those residents as a result of the amended design of the building. The properties in Elmdale, face towards the river in the Forest of Dean and are approximately 140 metres from the site of the proposed pavilion. Although the occupiers of the properties in Elmdale will be able to see the proposed building and any light emanating from it, this will not have a significant impact given the intervening distance and the fact that approval has already been granted for a single storey building on the site. There are residential and commercial properties along Bridge Street in Lower Chepstow that are closer to the proposed building but these are at least 65 metres away and the intervening carpark already provides a degree of noise and disturbance. The proposal to increase the height of the building from one

storey to two will not result in any unacceptable harm to local amenity, health or well-being of local residents and therefore the proposal would accord with the objectives of Policy EP1 of the LDP. The proposal can be seen to be promoting healthier places by offering an outside recreational activity in the form of the river cruises. In addition the provision of a café can promote well-being by providing a location where people can socialise and interact which could help to reduce loneliness. The proposal therefore accords with the desire of PPW10 to promote healthier places,

6.1.4 Sustainable Management of Natural Resources

The building, on the basis of its adoption of modern construction methods comprising air tightness and high levels of insulation will perform with significant thermal efficiency. The use of carefully selected and durable natural materials in their self-weathering state will create a building envelope that has low embodied carbon in its composition and helps to create natural habitats for flora and fauna.

In accordance with TAN22 guidance, the design proposed will incorporate a series of measures including:

Reduced Energy and CO2 emissions such as high performance insulation combined with an improved airtightness being integrated into the proposed structure design and construction.

The use of renewable and FSC traceable materials within the construction.

A-rated efficiency windows offering optimal levels of ventilation and natural daylight.

The incorporation of a new energy efficient mains gas operated boiler with underfloor heating for optimal efficiency of heating the building.

Low energy LED internal lighting.

Underfloor heating will provide day to day heating of the building.

A waste management methodology includes design strategies that provide on-site waste separation enabling recycling and storage for scheduled collection. Dedicated bin stores located in the utility room will facilitate this.

The building has been designed to reinforce the robustness of the flood defences that have been constructed in Lower Chepstow and is not considered to present a risk to human life of flooding from rivers or sea.

The scheme ensures that the site's ecological value is maintained and strategies adopted which protect habitats. No changes have been introduced below the deck level and the proposal is therefore consistent with the previously considered ecological impact.

Cycle racks are located in close proximity to the building.

The proposed building has been designed with finished floor levels raised well above the modelled peak flood level datum.

The footprint of the proposal maintains the position of that previously approved in relation to existing trees.

The design and construction of this building therefore included many of the principles of the Sustainable Management of Resources outlined in The Environment (Wales) Act 2016 and referred to in section 3 of PPW1 and is acceptable in this regard.

6.2 Active and Social Places

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

PPW10 refers to the Sustainable Transport Hierarchy where walking and cycling are the highest priority and public transport second with private motor vehicles being the least desirable. This site in the centre of Chepstow does occupy a highly sustainable location. Local residents can walk to the site and tourists who visit Chepstow can access the area by bus or by train.

6.2.2 Access / Highway Safety

The proposal would result in the loss of six car parking spaces from the Castle Car Park. This is the same number that would have been lost under the previously approved scheme. The Castle Car Park mainly caters for tourists visiting Lower Chepstow in general and the castle in particular. The proposed building may also generate new demand for car parking spaces. The Castle car park has 99 allocated spaces for cars and 5 for coaches but it is rarely full. It is likely that many tourists visiting the Castle would also take a river cruise or use the café and therefore much of the demand for the spaces will be doubled up. On the previous application in 2006 it was concluded that "the overall economic benefit for the area as a whole from having this prestigious tourist facility will outweigh any potential problems caused by loss of parking spaces especially as the car park is rarely full." The existing access to the car park from Bridge Street would not be altered and the proposal would not generate a significant proportional increase in traffic over and above that which currently uses Bridge Street. MCC Highways have no objection to the proposal. The proposal would therefore accord with Policy MV1 of the LDP.

6.2.3 Retail & Commercial Centres

The site is located within the Chepstow development boundary but outside of the central shopping area as defined in Policy RET2 of the LDP. Policy RET4 of the LDP states that the preferred location for new retail, commercial and leisure developments will be in the designated central shopping areas. Where it can be demonstrated that no suitable sites exist in the CSA then sites on the edge of CSA should be considered before finally considering out of town sites. In this case the river cruise terminal needs to be located next to the river and this site has previously been considered acceptable for this activity. While not in the CSA it is close to the town centre in an area popular with tourists. The site adjacent to the Castle and the Tourist Information Centre is acceptable and will enhance the tourist offer in this part of the town. There are several other commercial properties in this area including several public houses. The siting of a café in this area would provide an additional facility for tourists in the area and would not have a detrimental impact on the vitality and viability of the town centre. The site is in a sustainable location close to the town centre and therefore will accord with the objectives of Policy RET 4 of the LDP.

PPW10 in section 4 states that the planning system must promote viable urban and rural retail and commercial centres in the most sustainable locations to live, work, shop, socialise and conduct business. It must also sustain and enhance retail and commercial centres' vibrancy, viability and attractiveness and improve access to and within retail and commercial centres of all modes of transport prioritising walking, cycling and public transport. The provision of a café with a function room above will increase the choice of facilities for visitors to Chepstow encouraging tourism and will not directly compete with the facilities available in the town centre. The site is in a very sustainable location with easy access on foot and by public transport, The proposal therefore accords with the objectives of PPW10 to promote viable retail and commercial development in a sustainable location. PPW10 recognises the need for additional retail development and this site is the most appropriate location for this facility.

6.2.4 Community Facilities

PPW10 recognises that community facilities contribute to a sense of place which is important to the health, well-being and amenity of local communities and their existence is often a key element in creating viable and sustainable places. Policy S5 of the LDP says that development proposals that provide community and recreational facilities will be permitted within and adjoining town development boundaries subject to detailed planning considerations. Therefore the principle of a new community facility in the location within the Chepstow Development Boundary accords with the objectives of PPW10 and Policy S5 of the LDP. The principle of a new community facility in this location has already been deemed acceptable through the previously approved scheme. The current application seeks to amend (increase) the size of the facility.

6.3 Productive and Enterprising Places

6.3.1 Economic Development

PPW10 states in section 5 that wherever possible, planning authorities should encourage and support developments which generate economic prosperity and regeneration. The siting of a café in this location will not only be attractive to tourists, it will also generate a number of jobs in catering and hospitality. Employment opportunities in this area of Chepstow have declined in recent years and this proposal will help to revitalise the tourist economy in Lower Chepstow. This increase in foot fall may also help other commercial enterprises in the area. Policy S8 of the LDP says that development proposals that seek to deliver the Council's vision for sustainable economic growth will be permitted particularly where they enable the continued development of key economic sectors such as tourism. The proposal accords with this objective by tapping into Chepstow's historical resource and encouraging economic growth through tourism.

6.3.2 Tourism

It is proposed that this facility be used by tourists and local residents. PPW 10 recognises that tourism can be a catalyst for regeneration and improvement to the built environment and says that the planning system should encourage tourism where it contributed to economic development. Planning authorities should adopt positive approach to tourist proposals which utilise previously developed or disused land particularly in relation to urban regeneration. Policy S11 of the LDP supports development proposals that provide sustainable forms of tourism. The provision of a new tourist facility in this sustainable location is compatible with the objectives of PPW10 and the LDP to promote tourism with its associated economic benefits.

6.3.7 Minerals / Waste

The site is located in a Minerals Safeguarding area for Limestone as identified in Policy M2 of the LDP but it is extremely unlikely that this area would ever be suitable for extraction due to its very sensitive location adjacent to Chepstow Castle and the River Wye.

6.4 Distinctive & Natural Places

6.4.1 Landscape/ Visual Impact

The visual impact of this proposal especially in relation to the Castle and the conservation area have been discussed in great detail in section 6.1.2 of this report above. A Heritage Impact Assessment was submitted and this was considered by Cadw who agreed that the impact of the proposal was acceptable. The site area is very limited and only extends around the building itself and the decking area, and therefore there is no scope for addition landscaping. There is however extensive tree planting on the slope between the site of the proposed café and the castle. This will be unaffected by the proposal.

6.4.2 Historic Environment

The impact of this proposal on the historic environment of Lower Chepstow and the Castle has been discussed above in great depth.

6.4.5 Biodiversity

The proposed site is immediately adjacent to the River Wye SAC, and is within the 100m Zone of Influence buffer for the Wye Valley and Forest of Dean Bat Sites SAC, due to a supporting lesser horseshoe roost in Chepstow Castle. There is potential for significant effects to the SACs and therefore a Habitat Regulations Assessment is required by Regulation 63 of the Conservation of Habitats and Species Regulations 2017, in accordance with the EC Habitats Directive (Council Directive 92/43/EDC) before the Council as the 'Competent Authority' under the Regulations can grant permission for the project.

The proposed method of access to the river is a pre-fabricated system combining access steps with a twin railed funicular berthing platform. This had already been approved under the previous scheme and will not be affected by the current proposal to increase the size of the building.

Two ecological assessments have been submitted as part of the application to assist with the Habitats Regulations. The assessments have provided sufficient information to complete the assessment. Using conditions to secure mitigation and standard pre-commencement conditions to provide a lighting scheme and an Ecological Construction Method Statement, it is concluded that the project will not adversely affect the integrity of the protected sites. Therefore the Council's ecologist has no objection to the proposal subject to the imposition of conditions.

6.4.6 Flooding

The site is located within a C1 Flood Zone as in TAN 15 "Development and Flood Risk". The site is located within the flood defences for Lower Chepstow. The applicants have submitted a Flood Consequences Assessment as part of the application. As a café and Tourist Facility the use of this building is classified as "less vulnerable". The FCA suggests that the building could be evacuated in times of extreme flooding and there would be no risk to life. NRW have considered the submitted FCA, which has been updated during the course of the application. They acknowledge that the Flood Consequences Assessment (FCA) assesses the proposal against the full 75 years lifetime of development i.e. the risk up to 2094, accounting for the full allowance of climate change. The FCA states that in the 0.5% (1 in 200 year) plus climate change, 2094 event, the predicted flood level for the site is 10.278m AOD. Based on the proposed FFL of 10.28m AOD, it is predicted that the building will be flood free during this flood event, and therefore compliant with requirements of A1.14 of TAN 15. The FCA states that the 0.1% (1 in 1000 year) plus climate change, 2094 event flood level for the site is 10.708m AOD. Based on the proposed FFL of 10.28m AOD, it is predicted that the building will flood to a depth of 428mm, and this is within the tolerable limits set out in A1.15 of TAN 15.

The FCA provides maps which demonstrate the mechanism of flood inundation at the site. These show flood waters overtop the flood defences after 18 hours. After one hour these flood waters start receding. The duration of the tidal inundation is likely to be 24 hours.

NRW are satisfied with the FCA and do not object to the proposal provided that the provisions of the FCA are complied with; this can be secured by condition ,and that the Finished Floor Levels are set no lower than 10.28m AOD. The submitted plans show that the FFL would be 10.28m AOD.

NRW have advised the developer that the building may have to be incorporated into the existing flood defence embankment at some point in the future. The updated FCA discusses this point further under 4.4 (Design finished floor levels) and states the developer 'accepts that if the flood defence is raised further, the structure will have to tie into the proposed Pavilion building'.

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

This application was submitted prior to the 7th January 2019 and is therefore exempt from the SuDS Regulations. Foul water will be disposed of by mains sewer.

6.5 Response to the Representations of Third Parties and Town Council

The Town Council are concerned that the siting of this building will detract from views of the Castle. This is a very important issue which has been assessed in detail in the Heritage Impact Assessment any by Cadw. Cadw considered the impact of the proposal on views from and to the Castle and the Wye Bridge and concluded that the impact was only slight. This is discussed in great detail above. The majority of comments from local residents refer to the principle of this development, but this needs to be considered in the context that a similar proposal was approved on site in 2012. This current application related to increasing the height of the building. Some objectors referred to the height of the building, its impact on the Castle and the proposed finishing materials. The building will be clad in a continuous sheath of hardwood on the walls and the roof . The hardwood will weather down to a natural silver tone. This visually recessive material makes for an extremely low-key presence that avoids competing with the Castle and other buildings in the locality. The use of wood cladding is to have contextual links to traditional boatsheds which may once have been found in this area.

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

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

6.7 Conclusion

6.7.1 The principle of a river cruise terminal on this site has already been accepted through the previous planning approval. This current application seeks an increase in the height of the building. Cadw have carefully considered the Heritage Impact Assessment in relation to the proposed building and have no objection to it.

7.0 RECOMMENDATION: APPROVE

Conditions :

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

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

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

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

3 No development shall take place until the applicant or his agent or successor in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

REASON:

To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource in accordance with Planning Policy Wales (Edition 10, December 2018).

4 Finished floor levels shall be set no lower than 10.28mAOD to reduce the risk of flooding to the proposed development and future occupants.

REASON: To prevent flooding of the building in accordance with policy SD3 of the LDP

5 Timing Restrictions

No civil engineering or groundwork activities shall be carried out between the dates of 1st April to 30th August in any year.

Reason: To safeguard interest features of sites protected by The Conservation of Habitats and Species Regulations 2017.

6 Piling Methodology

No impact piling shall be used. Piles shall be installed using a low-vibration, rotary-bored method.

Reason: To safeguard interest features of sites protected by The Conservation of Habitats and Species Regulations 2017.

7 Lighting Control

Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be installed on the building or in the curtilage until an appropriate lighting scheme has been submitted to the Local Planning Authority and approved in writing. The strategy shall include:

- a) lighting type, positioning and specification; and
- b) measures to minimise light spill from glazed areas.

The scheme shall be agreed in writing with the LPA and implemented in full.

Reason: To safeguard interest features of sites protected by The Conservation of Habitats and Species Regulations 2017 and protect roosting, foraging and commuting routes in accordance with Environment (Wales) Act 2016.

8 Ecological Construction Method Statement

No development or site preparation shall take place or material or machinery brought onto the site until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include details of measures to safeguard protected and priority species during the constructions works. The content of the method statement shall include, as a minimum the:

- a) Purpose and objectives for the proposed works in relation to protection of identified species;
- b) Detailed working methods necessary to achieve stated objectives;
- c) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction; and
- d) Persons responsible for implementing the works.

The Construction Method Statement shall thereafter be implemented in full.

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