

**Application Number:** DM/2022/00848

**Proposal:** Conversion of a former day centre to provide for 6 no. residential apartments, alongside the construction of a new building consisting of 9 no. residential apartments. Associated change of use from class D1 to C3, parking, widening of existing driveway and landscaping works

**Address:** Boverton House Day Centre, Bulwark Road, Chepstow, NP16 5JE

**Applicant:** BMJ International

**Plans:** Floor Plans - Existing 17/462/106 - ,  
Floor Plans - Existing 17/462/107 - ,  
Floor Plans - Existing 17/462/108 - ,  
Existing Roof Plan 17/462/109 - ,  
Floor Plans - Proposed 17/462/110 C - ,  
Floor Plans - Proposed 17/462/111 D - ,  
Floor Plans - Proposed 17/462/112 C - ,  
Proposed Roof Plan 17/462/113 - ,  
Elevations - Proposed 17/462/135 A - Rev A,  
Elevations - Existing 17/462/136 - ,  
Location Plan 17/462/136 - ,  
Elevations - Proposed 17/462/136 A - ,  
Site Sections 17/462/140 A - ,  
Site Plan 20/565/101 - ,  
Site Plan 20/565/105 D - ,  
Floor Plans - Proposed 20/565/120 B - ,  
Floor Plans - Proposed 20/565/121 B - ,  
Floor Plans - Proposed 20/565/122 B - ,  
Proposed Roof Plan 20/565/123 - ,  
Landscaping Plan RF-107-001 A - Rev A,  
Landscaping Plan RF-107-200 - ,  
Topographical Survey SAAC.17.022 - ,  
Bat Survey - , Other ME STRATEGY - STAGE 2 REPORT - ,  
Other PLANNING STATEMENT - ,  
Other PLANTING SCHEDULE - ,  
Other PRELIMINARY ECOLOGICAL APPRAISAL - ,  
Other SAP CALCULATIONS - ,  
Other SITE CARBON REDUCTION LETTER - ,  
Other TECHNICAL NOTE 001 REVISION C DRAINAGE.. - ,  
Other TECHNICAL NOTE 01 - ,  
Tree Survey - ,  
Other VEGETATION MAINTENANCE AND MANAGEMENT SCHEDULE - ,  
Other VEGETATION MAINTENANCE AND MANAGEMENT SCHEDULEOVER  
20 YEARS (5 YEAR PERIOD ACTIV - ,

**RECOMMENDATION: Approve subject to a S106 Legal Agreement**

Case Officer: Ms Kate Young

Date Valid: 01.07.2022

**This application is presented to Planning Committee as objections have been received from five or more addresses**

## 1.0 APPLICATION DETAILS

### 1.1 Site Description

Boverton House is a detached three storey building, set in site substantial grounds measuring approximately 0.35ha. It is located on Bulwark Road, close to the junction with the A48. There is an existing vehicular access from Bulwark Road into the site. The building, dating from the late 19th century, is constructed from grey rubble stone and yellow ashlar, with a number of more modern extensions. The site is bound by a stone perimeter wall at the boundary to Bulwark Road. The current site consists of Boverton House in the northern section, a substantial car park to the south of the house and mature vegetation on the northern, southern and western boundaries. The remainder of the site consists of sloped grass and vegetation towards Bulwark Road to the east and to the neighbouring properties to the west. The site is well landscaped and contains several mature trees located both around the perimeter and in close proximity to the site boundary. The site does not contain trees covered by a Tree Protection Order (TPO), though off-site trees beyond the southern boundary are subject to a TPO.

Boverton House was previously owned and used as a day centre by Monmouthshire County Council, and in 2016 was identified by the Council as surplus to requirements and suitable for potential redevelopment. The property was subsequently sold in 2020. The site is located within the Chepstow Development boundary and is surrounded by residential properties. It is located within the Chepstow Conservation Area (in character area 9 of the Conservation Area Appraisal) and is specifically mentioned within the Appraisal as a building making a particularly positive contribution to the character of the area but is not listed. The adjoining property to the south, Gwentlands, is a Grade II listed building.

### 1.2 Value Added

Planning officers have negotiated with the developers to ensure that a financial contribution for affordable housing in the local area is secured.

### 1.3 Proposal Description

The proposed development consists of the conversion of Boverton House into 6 residential apartments. The modern extensions would be re-rendered but no other external alterations would be made. The application also seeks the erection of a new three-storey block of 9 no. apartments on the site of the existing car park. The new build apartment block will be stepped down the slope in comparison to Boverton House.

The existing boundary trees will be retained and vehicle and pedestrian access to the site will be achieved through the existing access point at Bulwark Road which will be widened by 2m to improve the access for residents and emergency service vehicles. The existing wall will be swept up the driveway to align with the altered road access. The existing access will be resurfaced and the existing gate refurbished. In total 21 car parking spaces will be provided within the site, and 20% of these will have EV charging points. The proposed new build incorporates renewable energy sources with photovoltaic panels on the roof and air source heat pumps.

The proposal was subject to a formal Pre-Application Consultation in accordance with the requirements of Section 61Z of the Town and Country Planning Act 1990. The public consultation strategy principally comprised web-based engagement with the local community and specialist consultees, through the establishment of a proposal website as well as notification via site notice and letter/accompanying leaflet. The report is formally submitted as part of this planning application.

## 2.0 RELEVANT PLANNING HISTOREY (if any)

Reference Number	Description	Decision	Decision Date
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DM/2019/00929	Development proposal is for change of use from Business to Residential purpose.	Withdrawn	11.05.2020
DM/2022/00848	Conversion of a former day centre to provide for 6 no. residential apartments, alongside the construction of a new building consisting of 9 no. residential apartments. Associated change of use from class D1 to C3, parking, widening of existing driveway and landscaping works	Pending Determination	

### 3.0 LOCAL DEVELOPMENT PLAN POLICIES

#### Strategic Policies

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

#### Development Management Policies

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements  
H4 LDP Conversion/Rehabilitation of Buildings in the Open Countryside for Residential Use  
SD2 LDP Sustainable Construction and Energy Efficiency  
SD4 LDP Sustainable Drainage  
NE1 LDP Nature Conservation and Development  
EP1 LDP Amenity and Environmental Protection  
MV1 LDP Proposed Developments and Highway Considerations  
DES1 LDP General Design Considerations  
HE1 LDP Development in Conservation Areas  
HE2 LDP Alterations to Unlisted Buildings in Conservation Areas

#### Supplementary Planning Guidance

Affordable Housing SPG July 2019:  
<https://www.monmouthshire.gov.uk/app/uploads/2019/09/Final-Adopted-SPG-July-2019.pdf>

Infill Development SPG November 2019:  
<https://www.monmouthshire.gov.uk/app/uploads/2020/02/Appendix-2-Infill-Development-SPG-Latest-Version-for-Final-Adoption-2020-Dave-adjustments-00000002.pdf>

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

Chepstow Conservation Area Appraisal (March 2016):  
<http://www.monmouthshire.gov.uk/planning-policy/supplementary-planning-guidance/chepstow-conservation-area-appraisal>

Monmouthshire Parking Standards (January 2013)

## **4.0 NATIONAL PLANNING POLICY**

### **Future Wales - the national plan 2040**

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

### **Planning Policy Wales (PPW) Edition 11**

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

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

## **5.0 REPRESENTATIONS**

### 5.1 Consultation Replies

**Chepstow Town Council** – no response received.

**MCC Highways** - No objection.

The immediate local highway network Bulwark Road and the A48 is capable of accommodating the proposed development.

This is a sustainable location.

The alterations to the access will be a significant improvement.

Parking provision and its layout is critical for any development, any shortfall in parking provision on any site must not result in the displacement of resident's vehicles onto the immediate local network.

**Welsh Water** - No objection.

Requests that a drainage scheme is secured by condition.

**MCC Heritage Officer** - No objection subject to conditions.

**NRW** - No objection but a bat licence will be required.

Based on submitted ecology report, we do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

**MCC Ecology** - No objection subject to conditions.

**MCC Landscape/ Green Infrastructure Officer** - No objection subject to conditions.

The proposal is acceptable from a Landscape and GI perspective. Further clarity with regard to the aftercare and maintenance of the existing and proposed GI through the site would be welcome. This can be provided prior to determination or as a condition of approval.

**MCC Tree Officer** - No objection.

All trees are located around the edges of the site, or immediately adjacent to the site boundary on neighbouring third party land. A comprehensive tree survey report and an arboricultural method statement have been submitted.

**Lead Local Flood Authority and SuDS Approval Body** - No objection.

The application has now demonstrated a means of surface water discharge via infiltration with details to be confirmed through the SAB process. NRW Flood Risk Mapping shows the site to be at no particular risk of flooding from surface water or main river.

**MCC Transport Planning and Policy Officer** - This has no public transport implications. There is an existing bus service adjacent to the site.

## 5.2 Neighbour Notification

Letters received from five addresses.

Insufficient parking

The area does not need more flats, small family homes should be provided.

Welcome the conversion of Boverton House but would have preferred it to become a family home without the additional new build flats

The revised design to be visually much more appropriate and in keeping with the 19th-century villas in the area

There should be no additional parking outside the site

Welcome the bicycle racks but as this area is so hilly electric charging facilities for bikes should be considered

More and faster EV charging points

The residents of Gwentlands would like to have included the requirement to reinstate the boundary wall between the two properties

Loss of outlook and view of the river

Will compromise our security, privacy and current peaceful environment

Increase in traffic

Insufficient drainage in the area

Tree trimming will reduce privacy

Boundary walls will need to be improved

Communal bin storage has not been identified

The three-storey building will result in a loss of privacy

The windows on the new build are too large

There are many unsold flats in Chepstow

The drainage proposal is unclear

Do not agree with an additional 9 apartment block but suggest a smaller block and fewer apartments to reduce negative environmental impact and traffic congestion and be more in keeping within this conservation area

Neighbour's Beech Tree has not been referred to

Increased parking on Bulwark Road will add to existing congestion.

## 5.3 Other Representations

None Received

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

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

## **6.0 EVALUATION**

### **6.1 Principle of Development**

PPW11, paragraph 4.2.23, states that proposals for housing on infill and windfall sites within settlements should be supported where they accord with the national sustainable placemaking outcomes. Policy S1 of the LDP says that the main focus for new housing development will be within the main towns of which Chepstow is one. Policy H1 of the LDP allows for residential conversion within development boundaries, subject to detailed planning considerations. Policy S9 of the LDP does allow for the conversion of properties into flats within development boundaries provided that certain criteria are met. The principle of both new residential development and conversion to residential use is acceptable in principle in this location.

### **6.2 Sustainability**

#### 6.2.1 Good Design

##### **Conversion of Existing Building.**

The site is within the Chepstow Conservation area, identified in the Conservation Area Appraisal as character area 9: Hardwick Hill Environs. Boverton House has architectural merit, in Gothic revival style, as noted in the area appraisal, and forms part of a cohesive group of large Georgian houses relating to the development of the town and its past 18th and 19th Century prosperity. Gardens, mature trees including prominent line of copper beech, outbuildings walls and gates all contribute to the group's essential character setting. Boverton House's intrinsic value includes a three-bay late 19th Century house which continues the theme of large buildings set in landscaped grounds and stands out due to its use of grey rock-faced stone and yellow ashlar. The applicant's Design & Access Statement (DAS) highlighted the significance of the view and setting of the property as viewed from Bulwark Road. The proposal provides opportunities to address architectural alteration associated with the main building to enhance the existing property in its current form which is welcome. The retention of views to the principal elevation of Boverton House from Bulwark Road have been highlighted and will not be obscured. The conversion of the existing building involves very little external alteration. The existing lift tower and single-storey extension will be painted in a colour to match the stonework of the main house. A new window will be added to the front elevation and the front door will be replaced with a new one. A new roof light will be added to the front elevation and two small dormers to the rear. The design of the existing building will be retained and some of the details will be enhanced.

##### **The New Build Apartment Block.**

The new 9 apartment annex is set to the south of the main house on a former parking area within the curtilage of Boverton House, near to south boundaries, entrance and to Bulwark Road. The annex would be contemporary in design but reflects some elements of the main house's architectural features and be of a similar scale and mass, using materials with the resonance of colour and texture of the main building. Although the view of Boverton House from Bulwark Road is partially retained, the northern edge and eastern elevation of the proposed new annex does not overly impact on the character of the setting of the main house as viewed from the main road. The north, west and south elevations of the proposed new annex show a structure that is designed to integrate with the landform and remain subservient to the main building. The design is sympathetic to the existing built form, mass and architectural context. The new build apartments are designed to a similar scale as Boverton House. The new block is two and a half storeys, the second floor built into the pitched roof space, referencing the design of Boverton House. The design and finishing materials are however more contemporary with clean lines so as to appear modest and subservient in style compared to Boverton House.

Overall the proposal accords with the objectives of Policy DES1 of the LDP, as it will provide a high quality sustainable design that respects to local character of the area.

### 6.2.2 Place Making

Policy DES1 of the LDP requires that the development contributes to a sense of place while its intensity is compatible with existing uses. The proposal involves retaining the existing building where it will contribute to preserving the character of this part of the Conservation Area. This important building will be brought back into beneficial use. The proposal also involves the erection of a new apartment block. This would be contemporary in design, while the form and scale would respect the character of the existing buildings seen from Bulwark Road, most notably Boverton House itself and Gwentlands. The new block would be finished in buff grey brick, reconstituted stone with stone detailing. This will reflect the colour and detailing of Boverton House. The finishing materials are considered to be acceptable and accord with the objectives of policies DES1 and HE1 of the LDP. PPW 11 says that good design is fundamental to creating sustainable places where people want to live, work and socialise. The special character of an area should be central to its design. In this case the design is of a high quality and does reflect the character of the area, the conversion and the new build will significantly improve the visual appearance of the area and will positively contribute to the sense of place.

### 6.2.3 Green Infrastructure and Landscape

The site is within the suburbs of Chepstow, off Bulwark Road. The site is set back from the main road on elevating topography consisting of an approximately 9m level change, the frontage of mortared stone walls with driveway leading to Boverton House. The house is set within grounds of mature trees, mixed shrubs, hedge and grassland. From a Landscape and GI perspective the DAS highlights that all of the mature trees to the perimeter and vegetation to the front of the site are to be retained, with improvements to biodiversity habitat and the front entrance gate and access to be modified but still retaining streetscape character. The grounds would be landscaped for both residents' use and landscape / GI value as well as opportunities to manage surface water through appropriate SuDS.

The Planting Plan submitted provides a broad layout in terms of zonal activity and identifies the locations of the three proposed trees supported by the planting schedule. It is noted that the native species enhancement proposed to areas C - F which are primarily boundary area enhancements to existing retained vegetative structure consisting of two plant species i.e. hazel and soft shield fern. This is acceptable but the inclusion of additional native species to improve diversity, screening density and flowering/ fruiting period in the selection for areas on the western boundary such as *Crataegus monogyna*, *rosa canina* and *prunus spinosa* would also be welcome. The establishment and after care schedules are acceptable from a landscape maintenance perspective. Further clarity is required to demonstrate aftercare of the SuDS features as well as existing trees and GI. This can be provided prior to determination or as a condition of approval should the application progress, in the form of a GI management plan which will also clearly define roles and responsibilities for inspection and aftercare.

The proposal is acceptable from a Landscape and GI perspective and the Landscape GI officer has offered no objections. Further clarity with regard to the aftercare and maintenance of the existing and proposed GI though the site would be welcome and can be covered via condition.

### 6.2.4 Energy

In accordance with Policy SD2, the Proposed Development offers substantial CO2 reductions compared to the existing baseline. As detailed within the supporting Carbon Reduction Letter, the Proposed Development achieves a 78% saving through fabric efficiencies and through the installation of renewable energy and energy efficient systems. Such a reduction compares favourably to the current Part L minimum standard (8%) and the updated regulatory standard (37%) due to come into force in November 2022.

## **6.3 Historic Environment**

The proposal is located within the Chepstow Conservation Area. Boverton House is of architectural merit, in the style of Gothic revival, as identified in the area appraisal. This forms part of a cohesive

group of large Georgian houses relating to the development of the town and its past 18th and 19th Century prosperity. Gardens, mature trees including prominent line of copper beech, outbuildings walls and gates all contribute to the group's essential character setting. The site is very prominent when viewed from Bulwark Road. Previous comments highlighted concerns with the proposed dormer window to the eastern elevation of Boverton House; this has been replaced with a rooflight which is considered to have a lesser impact and is welcomed, subject to details of it being flush fitted. The new timber window to the lift tower and new door are not detailed so more information needs to be provided, to ensure their design is in keeping and this can be conditioned. The proposal does have the potential to impact on the setting of Gwentlands House and Gate Piers which are Grade II listed. However, it is considered that due to their location and screening as a result of established vegetation on site, that the proposal will not have a detrimental impact on the setting of these listed buildings.

The proposal preserves the character of this part of the Chepstow Conservation Area and will have no serious adverse effect on views and vistas into or out of the Conservation Area. Following negotiations the scale and finishing materials are appropriate. The details of the proposed works respect the proportions, materials and construction of existing buildings in the area. The proposal therefore accords with the objectives of policies HE1 and HE2 as they preserve the character of the Conservation Area.

#### **6.4 Biodiversity**

A Preliminary Ecological Appraisal with Preliminary Roost Assessment and a Bat Survey Report has been submitted as part of the application. An extended Phase 1 Habitat survey undertaken in August 2021 by Focus Environmental Consultants identified habitats within the site, including buildings, modified grassland, bare ground, scrubland, hedgerows, line of trees, introduced shrub and individual trees. Habitats within the site are considered appropriate to provide suitable commuting, foraging and nesting opportunities for bats, nesting birds, hedgehog, reptiles and common amphibians. The walkover surveys followed standard survey guidelines. A precautionary working approach will be followed regarding birds, reptiles, amphibians and hedgehog as detailed within the ecology report.

The submitted Bat Survey and Mitigation Strategy has been assessed as having moderate potential for roosting bats, and previous surveys at the property undertaken in 2017 had identified the presence of summer roosts for small numbers of pipistrelle bats. Two emergence surveys were undertaken and have confirmed the presence of summer day roosts used by small numbers of bats and commuting bats. The emergence surveys were undertaken as per standard practice. This level of survey effort and assessment is considered proportionate to the nature and scale of the application, and MCC Ecologists agree with the conclusions. The proposed works would not be impacting directly upon the bat roosts identified within the property; a development licence from Natural Resources Wales is not required for the works to continue, although a method statement must be followed to minimise impacts on bats.

As stated in the ecology report, at least two in-built or wall-mounted bat boxes, suitable for crevice dwelling bat species must be installed within the post-development site at suitable locations and heights. Additionally, access tiles for bats could be incorporated into the new structure. As recommended in the ecology report, all lighting must be PIR operated, baffled and low level to prevent light spill that might otherwise affect bat activity in and around the impacted buildings. It is recommended that a condition for a lighting plan (see conditions – below) is included on any consent granted.

#### **Biodiversity Net Benefit**

Planning Policy Wales (PPW) 11 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 11 respond to the Section 6 Duty of the Environment (Wales) Act 2016.

Enhancement measures have been recommended within the ecology reports to include;



- Installation of bird nesting boxes onto trees within the site or onto the walls of the existing and new building
- Incorporation of 'hedgehog highways' by leaving a gap in fences and walls within the site
- Creation of refuge habitat for amphibians, reptiles and small mammals using logs, deadwood and brash

These measures are acceptable, and to secure compliance with these enhancements, they are shown on the site plan. The proposal accords with the objectives of Policy NE1 of the LDP and the enhancements are proportionate to the scale of the proposal.

## 6.5 Impact on Amenity

The site is located within a residential area surrounded by existing residential properties. To the north of the site is St Govan's, which is set at a much lower level. The principle windows of St Govan's face east and west. It is the side elevation of the existing Boverton House which faces north towards the side elevation of St Govan's. There will be a few minor changes to the north elevation of Boverton House as a result of this proposal. These changes are blocking up the existing door way, providing a new dormer window at third floor level and building a new wall between the existing two single storey wings to create a private courtyard. The dormer window will look straight over the roof of St. Govan's due to the significant difference in height. The proposed screen wall will come no closer to the common boundary, than the existing house. To the west of the site are the more modern dwellings of Gwentlands Close, these are set at a slightly higher level than application site. It is their back gardens that abut the site and there is stone wall with timber fences behind that form the common boundary. It is no 14 Gwentlands Close that faces towards the Rear of Boverton House, it has a rear garden of approximately 17 metres and there is about 24 metres between the rear elevation of no 14 Gwentlands Close and the rear elevation of Boverton House.

Numbers 8, 10 and 12 Gwentlands Close will face the west elevation of the new apartment block. These three properties have rear gardens that range in length from approximately 15 metres to over 25 metres. These properties are set at a higher level than the application site. The new apartment block will be set over 10 metres away from the common boundary and the mature vegetation along the boundary will be retained. To the south of the site is Gwentlands which is set in substantial grounds. It is the side elevation of the new apartment that faces onto the garden area of Gwentlands. There are no windows on the south elevation of the proposed new apartment block.

Part 7.1 of the Infill Development Supplementary Guidance looks at Privacy and Amenity. The key considerations relating to privacy and amenity for small scale infill residential development are:

- a. whether the plot would have adequate privacy to habitable rooms and private garden space
- b. whether a new house(s) on the plot would affect the privacy of neighbours
- c. whether a new house(s) on the plot would affect the host dwelling.

In this case the plot is of sufficient size to accommodate the new apartment block and all the necessary amenity and parking provision without impacting on neighbouring amenity. Given the orientation, relative levels and distances to the common boundaries the proposed development will not lead to a significant loss of privacy for the existing occupiers of the surrounding properties. The proposal accords with the Council's normal privacy standards for new development and conversion. The layout of the proposal accords with the objectives of LDP policies DES1 and EP1 in terms of respecting the amenity of the occupiers of existing neighbouring residential properties. The proposal also accords with the specific privacy distances outlined in the adopted SPG on Infill Development.

## 6.6 Highways

### 6.6.1 Sustainable Transport Hierarchy

PPW11 refers to the Sustainable Transport Hierarchy where walking and cycling are the highest priority and public transport second with private motor vehicles being the least desirable. In this case the site is located close to the centre of Chepstow within easy walking distance to all the amenities and facilities in the Town Centre. The site is also within easy walking distance of good public

transport links including the bus and railway stations. There is a bus stop located less than 50m from the main entrance of the site. This site occupies one of the most sustainable locations in the County and the occupiers of these dwellings will be less reliant on the car to go about their daily business. The proposal includes a covered cycle store that can house up to 15 bicycles.

### 6.6.2 Access / Highway Safety

Boverton House is in Bulwark and benefits from an existing vehicular and pedestrian access off Bulwark Road, a classified road. In the vicinity of the access Bulwark Road is subject to a 20mph speed limit reinforced by traffic calming measures and is subject to traffic regulation orders prohibiting vehicle parking on the main road in the vicinity of Boverton House. The Highway Authority has considered the application's supporting information particularly the proposed site layout drawings and the technical note 01 dated May 2022, and considers that the immediate local highway network, Bulwark Road and the A48, is capable of accommodating the proposed development. The location provides direct access to the County's strategic highway network, the A48, A466 and the M48.

The proposed alterations to the means of access as detailed on Drawing No. 20/565/105 rev D Proposed Site Plan, namely the localised widening of the access drive and entrance onto Bulwark Road are considered acceptable and capable of accommodating the vehicle movements associated with a development of this size and scale. The widening of the drive enables 2 cars to pass as well as providing access to emergency services and day to day service vehicles as well as significantly improving forward visibility for users of the drive. No changes to the footway vehicular crossing on Bulwark Road are envisaged. Generally, the Highway Authority actively encourages developments in excess of 5 dwellings to be adopted and subsequently designed and built in accordance with the Welsh Government's Common Standards for Residential, Industrial and Commercial Estate Roads. The means of access and internal layout will not be considered for adoption as a self-contained development because the arrangement will probably be managed by an appointed management company to maintain the shared private drive on behalf of the residents. The proposed access arrangements comply with the objectives of Policy MV1 of the LDP with regards to highway safety.

### 6.6.3 Parking

The adopted Monmouthshire Parking standards require one car parking spaces per bedroom up to a maximum of three per unit. In this case 25 spaces would be required, however 21 off street parking spaces are being proposed. Therefore the provision falls below the Council's adopted standards. The applicant has submitted additional information as detailed in the Technical Note 01 dated May 2022 Proposed Parking Provision 4.12 - 4.20. The Highway Authority considers that parking provision and its layout is critical for any development and ensures that any shortfall in parking provision on any site does not result in the displacement of residents' vehicles onto the immediate local network. However, it is acknowledged that the development is located in what is considered the County's most sustainable and accessible town with the proposed development being located in a sustainable location and within walking and cycling distance of the town's amenities and attractions and the bus and rail station. Welsh Government is now encouraging less dependence on private cars. It can be argued that given this is such a sustainable location there could be a relaxation on parking provision on site. In this context, the Highway Authority has offered no objection.

## **6.7 Affordable Housing**

Policy S4 states that, In main towns as identified in Policy S1, (which includes Chepstow), sites with a capacity for 5 or more dwellings will make provision (subject to an appropriate viability assessment) for 35% of the total number of dwellings on the site to be affordable. In this respect the application proposes 15 dwellings.

The Affordable Housing Supplementary Planning Guidance (SPG) July 2019. Part A.1 para ii of the SPG states that, in determining how many affordable houses should be provided on a development site, the figure resulting from applying the proportion required to the total number of dwellings will be rounded to the nearest whole number (where half rounds up). Therefore 5 dwellings would be required to be provided on site. However, following discussions with the developer it was claimed

that the development would not be viable with on-site provision. PA4 iii of the SPG states that Affordable housing should be provided on-site (unless there are exceptional circumstances that justify off-site provision, as considered in paragraph 5.10 of this SPG).

An independent assessment of the Viability Assessment by Consultant Andrew Burrows was commissioned which confirmed that;

- a) it is neither viable, nor particularly practical, for the proposed development to deliver *any* affordable housing on-site; but that
- b) it is viable for the development to make a financial contribution of £68,779 towards the provision of affordable housing off-site.

The assessment also considered the practical issues of providing on site provision. Given there are two buildings, the existing Boverton House and the proposed new building, both buildings would include more than 5 units that would result in a mixed tenure apartment scheme. This arrangement would not be supported by Registered Social Landlords (RSLs) given the implications with ongoing management. RSLs were canvassed by the Council's Social Housing Officer and no RSL was interested in managing units in this manner on this site. Therefore, on site provision is not only financially not viable but also undeliverable.

Despite this, an affordable housing contribution needs to be provided through the development and so consideration is given to an off-site contribution. The amount of financial contribution is based on the floor area floor area and the calculation contained in Appendix 3 of the Affordable Housing SPG.

Financial Contribution = Internal Floor Area (m<sup>2</sup>)x CS Rate x 58%.  
11 Units (988.2 sqm x £120 x58% = £68,779.

Given the Viability Assessment, verified by an independent assessor, suggests that no on site contribution is viable, the provision of £68,779 is considered to be appropriate and the applicant has confirmed they accept the payment and are willing to enter into a Section 106 agreement to secure this. Therefore it is considered that the proposal accords with Policy S4 of the LDP.

## **6.8 Flooding**

The site is not in a designated Flood Zone as designated by the DAM maps of TAN15 or the emerging draft TAN15. NRW Flood Risk Mapping shows the site to be at no particular risk of flooding from surface water or main river. The MCC database of previous flood events does not record any flood events or any drainage or flood assets in close proximity to the site. There are no objections on flooding grounds from the Lead Local Flood Authority.

## **6.9 Drainage**

### 6.9.1 Foul Drainage

The foul water will connect to a mains sewer. This complies with the advice from NRW that in a sewered area the preference is to connect into a mains sewer. Welsh Water have offered no objection but request a condition that a drainage scheme for the site is submitted to and approved in writing by the local planning authority to prevent hydraulic overloading of the public sewerage system.

### 6.9.2 Surface Water Drainage

The applicant has indicated that surface water discharge will be by way of a soakaway, and the site appears of sufficient size to accommodate this. The application has now demonstrated a means of surface water discharge via infiltration with details to be confirmed through the SAB process. The SAB approving body has no objection to the proposal. The scheme will require a sustainable drainage system designed in accordance with the Welsh Government Standards for sustainable drainage and approval by the SuDS Approving Body (SAB) prior to any construction work commencing.

## **6.10 Phosphates**

Under the Conservation of Habitats and Species Regulations 2017 it is necessary to consider whether the development should be subject to a Habitat Regulations Assessment. This is in particular reference to the impact of increased concentrations of Phosphates on designated SAC's. NRW has set new phosphate standards for the riverine SACs of the Wye and Usk and their catchment areas. Development that may increase the concentration of phosphates levels will be subject to appropriate assessment and HRA. This application is outside of the SAC catchment and so will not have a detrimental impact on any protected SAC, and as a result no further assessment is required.

## **6.11 Planning Obligations**

A financial contribution £68,779 is required to contribute to affordable housing in the local area.

## **6.12 Response to the Representations of Third Parties and/or Community/Town Council**

The neighbours are concerned that there will be insufficient car parking provision within the site. It has been explained in the main body of the report that while the proposal has 4 fewer spaces than the adopted Monmouthshire Parking Standards would require, given this is such a sustainable location there could be a relaxation on parking provision on the site. The Highway Authority have offered no objection and Welsh Government is now encouraging less dependence on private cars. Planning officers consider that 21 parking spaces is sufficient for a development of this scale.

A bike store is being provided within the site but at this present time there is no policy to support a requirement for electric charging points for bicycles. Provision of 20% of the total parking dedicated for electric vehicle charging points promotes the uptake of ultra-low emission vehicles and makes a positive contribution towards combatting climate change. The proposal will result in an increase in traffic over and above what may be generated by the established D1 use of the site but the Highway Authority is satisfied that the immediate local highway network, Bulwark Road and the A48, is capable of accommodating the proposed development.

Local residents have suggested that they would rather see small family homes on the site, however the merits of alternative proposals do not form part of the consideration of the proposals applied for as part of this application. In addition, the size of Boverton House means that it is unlikely to be converted into a single residential dwelling.

Local residents would also like to see the stone boundary wall reinstated however planning officers consider that the current boundary treatments along with the existing vegetation provide sufficient screening along the common boundary. Loss of outlook and views of the river are not a material planning consideration as established through relevant case law.

In relation to amenity and privacy, officers have paid careful consideration to the amenity of existing local residents in the surrounding properties and found that the proposal accords with the specific privacy distances outlined in the adopted SPG on Infill Development. Given the distance between the existing and the proposed properties and the intervening vegetation, the proposed new windows on the new apartment block are not considered overly large and will not cause a significant loss of privacy to the neighbouring properties.

The local residents say that the drainage proposal is unclear. The foul drainage will discharge to a main sewer. Welsh Water have offered no objection but requested a drainage strategy to be submitted. The surface water discharge will be by way of a soakaway; the applicant has now demonstrated a means of surface water discharge via infiltration with details to be confirmed through the SAB process. Planning officers believe that sufficient drainage information has been submitted in order to determine the planning application.

A communal bin and recycling store is shown on the proposed layout plan to be located behind Boverton House. It will be well screened and centrally located. Waste collection will be managed on site by a private management company.

Concerns were raised in relation to trees on the adjacent site, however, works proposed to the neighbour's Beech Tree do not form part of this application.

Concerns have been raised in relation to scale and mass. Given the context of the site with Boverton House being three storey and the dwellings behind being set at a higher level, a new apartment block of three storeys is considered acceptable.

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

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

### **6.14 Conclusion**

The principle of both new residential development and conversion to residential is acceptable in principle in this location. PPW 11 supports new residential development within settlement boundaries in sustainable locations. Policy S1 of the LDP says that the main focus for new housing development will be within the main towns of which Chepstow is one. Policy H1 and S9 of the LDP allows for residential conversion within development boundaries, subject to detailed planning considerations.

The design of the existing building will be retained and some of the details will be enhanced. The new build apartment block is contemporary in design but reflecting elements of the main house's architectural features, it is of a similar scale and mass using materials with a resonance of colour and texture of the main building. Overall the proposal accords with the objectives of Policy DES1 of the LDP. The design of the proposal is also respectful of the prevailing character of the area and would contribute towards a sense of place. The proposal accords with the objectives of policies HE1 and HE2 as they preserve the character and appearance of the Conservation Area.

The proposal is acceptable from a Landscape and GI perspective. Ecology surveys and a Bat Mitigation strategy was submitted with the application and MCC ecologists agree with the conclusions. Biodiversity enhancements are being provided; the proposal accords with the objectives of Policy NE1 of the LDP as the enhancements are proportional to the scale of the proposal.

The proposal accords with the Council's normal privacy standards for new development and conversion. The layout of the proposal accords with the objectives of LDP policies DES1 and EP1 in terms of respecting the amenity of amenity of the occupiers of existing neighbouring residential properties.

This site occupies one of the most sustainable locations in the County and the occupiers of these dwellings will be less reliant on the car to go about their daily business. The immediate local highway network of Bulwark Road and the A48 is capable of accommodating the proposed development. The proposed alterations to the means of access are welcome and will enable 2 cars to pass as well as providing access for emergency services. The proposal has 4 fewer car parking spaces than the adopted Monmouthshire Parking Standards would normally require, but given this is such a sustainable location a relaxation on parking provision on the site is fully justified. The Highway Authority has offered no objection and Welsh Government is now encouraging less dependence on private cars.

In line with policy S4 of the LDP a financial contribution of £68,779 will be secured through a S106 agreement to provide for affordable housing in the local area; it is neither viable, nor practical, for the proposed development to deliver any affordable housing on-site.

The proposal is policy compliant in all respects and therefore is recommended for approval subject to conditions.

## **7.0 RECOMMENDATION: APPROVE**

Subject to a 106 Legal Agreement requiring a financial contribution £68,779 to contribute to affordable housing in the local area.

### S106 Heads of Terms

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

#### **Conditions :**

##### **1 5 YEAR**

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 COMPLIANCE WITH PLANS**

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 DRAINAGE SCHEME**

No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul water. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water shall be allowed to connect directly or indirectly with the public sewerage system.

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

##### **4 CAR PARK MANAGEMENT PLAN**

Before development commences a Car Park Management Plan detailing car park space allocation and locations as well as provision for kerbside collection of waste and recyclables shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be complied with in perpetuity.

**REASON:** In the interest of Highway Safety and to ensure compliance with LDP Policy MV1.

##### **5 WALL FINISHING MATERIALS**

A representative sample of the proposed material of the new garden wall and gate and the finishing materials of the new apartment building shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The development shall be carried out in accordance with the approved details prior to the development being brought into use.

**REASON:** To safeguard the character and appearance of the Chepstow Conservation Area in accordance with policy HE1 of the LDP.

## 6 1:10 SECTION DETAILS

Details of the proposed new timber window and door to the lift tower to a minimum scale of 1:10 including elevations, vertical and horizontal sections with larger scale details to sufficiently describe the proposed units, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The development shall be carried out in accordance with the approved details prior to the development being brought into use.

**REASON:** To safeguard the character and appearance of the Conservation Area .

## 7 COMPLIANCE WITH ECOLOGY SURVEY

The development shall be carried out in strict accordance with the methods detailed in Section 1 (Recommendations) of the approved 'Bat Survey Report - Boverton House for BMJ International by Focus Environmental Consultants, dated March 2022' and Section 1 (Recommendations) of the approved 'Preliminary Ecological Appraisal with Preliminary Roost Assessment (inc. Third-Party Data Search) - Boverton House for BMJ International by Focus Environmental Consultants, dated March 2022'. Evidence of compliance with the plans in the form of georeferenced photographs must be provided to the LPA no more than three months later than the first beneficial use of the extension.

**Reason:** To ensure adequate safeguards for species of principle importance for conservation and to ensure compliance with LDP policy NE1.

## 8 CONSTRUCTION METHOD STATEMENT

No development, demolition, earth moving shall take place or material or machinery brought onto the site until a protected species (bats) construction method statement has been submitted to and approved in writing by the local planning authority.

The purposes of the method statement shall be:

1. To provide details of how buildings will be demolished; and
2. To provide measures to reduce impacts on commuting/foraging bats during the demolition/construction phase.

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 bats;
- 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 species protected under the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended).

## 9 NET BENEFIT

Prior to commencement of any construction works a detailed plan of proposed biodiversity enhancement illustrating "net benefit features" to include bat and bird roosting provision and habitat enhancements as detailed in "Preliminary Ecological Appraisal with Preliminary Roost Assessment (inc. Third-Party Data Search) - Boverton House for BMJ International by Focus Environmental Consultants, dated March 2022" identifying location, positioning and specification shall be provided. The scheme shall provide for the future management and an implementation timetable and shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved plans and shall be retained as such thereafter.

**Reason:** To provide biodiversity net benefit and ensure compliance with PPW 11, the Environment (Wales) Act 2016 and LDP Policy NE1.

## 10 PD RIGHTS

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 plan which includes low level PIR lighting, provides detail of lighting type, positioning and specification, and ensures that roosting and foraging/commuting habitat for bats is protected from light spill, has been agreed in writing with the LPA.

**Reason:** To safeguard foraging/commuting habitat of Species of Conservation Concern in accordance with Section 6 of the Environment Act (Wales) 2016 and LDP policies EP3 and NE1

## 11 LANDSCAPE WORKS IMPLEMENTATION

All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

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

## 12 GI MANAGEMENT CONDITION

A Green Infrastructure Management Plan shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development.

The content of the Management Plan shall include the following;

a) Description and evaluation of Green Infrastructure assets to be identified, protected and managed in the GI management plan.

a. Boundary buffers

b. Green corridors

c. Strategic landscaping and SuDS features that include soft landscaping

d. Ecological enhancements

b) Opportunities for enhancement to be incorporated

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

b. Maintain habitat connectivity through the site for species

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

d) Aims and objectives of management.

e) Appropriate management options for achieving aims and objectives.

f) Prescriptions for management actions.

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

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

i) Ongoing monitoring and remedial measures.

The Management Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery as appropriate. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the Green Infrastructure Management Plan are not being met) how contingencies and/or



remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning Green Infrastructure objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

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

### 13 TREE PROTECTION

The applicant or their agent will notify the Local Planning Authority of the full establishment of the tree protection measures, so that the MCC tree consultant can inspect the tree protection measures BEFORE the commencement of any site clearance, demolition, or construction work takes place.

No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.

a) If any retained tree is cut down, uprooted or destroyed or dies another tree shall be planted at the same place and that tree shall be of such size and species and planted at such time as may be specified in writing by the local planning authority,.

b) No fires shall be lit within 15 metres of the nearest point of the canopy of any retained tree.

c) No equipment, machinery or structure shall be attached to or supported by a retained tree.

d) No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area.

e) No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.

**Reason:** In order that the Planning Authority has an opportunity to ensure that the Tree Protection has been adequately established in accordance with the Tree Protection Plan

### 14 ARBORICULTURAL SITE SUPERVISION

The Arboricultural Method Statement and tree protection plan submitted in support of the application shall be adhered to in full, subject to the pre-arranged tree protection monitoring and site supervision, detailed below, by a suitably qualified Arboriculturalist.

A project Arboriculturalist shall be appointed to provide a watching brief of the following stages of the project, plus any other deemed necessary:

- o Frequency of site supervision visits to be agreed in writing with the LPA tree officer prior to any works commencing on site.

- o Notification in writing of the appointed project arboriculturalist for approval by the LPA.

- o Supervision of the required remedial tree surgery works as set out the Arboricultural Survey document May 2022.

- o Supervision of the installation of the approved tree protection fencing as per the Tree Protection Plan (drawing no. 2342-P-12, dated April 2022) prior to any works commencing on site.

- o Regular monitoring of the tree protection fencing during the construction works

- o Supervision of any works required within the root protection areas, particularly excavations and removal of hard surfacing / structures.

- o Supervision of any alteration to or temporary removal of the protective fencing

- o Provision of regular site progress reports with photographs to the Council's tree officer as pdf's by email

- o Attend any site meetings as deemed necessary with regards to the proposed works and any tree issues that arise

**Reason:** Required to safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees.