

**Application Number:** DM/2022/00473

**Proposal:** Proposal of 7 mews cottages to replace Hebron Hall, a disused Pentecostal chapel and community room positioned off Monnow Street in Monmouth. Proposed removal of an existing garage. Creation of a new public through route from Monnow Street to Howell's Place

**Address:** Pentecostal Church, Monnow Street, Monmouth, NP25 3EQ

**Applicant:** Mr Bailey

**Plans:** Existing site location plan – 020  
Existing block plan -021  
Existing site plan -022  
Existing Chapel lower gf plan – 23  
Existing Chapel gf plan -24  
Existing Chapel roof plan -25  
Existing NW & NE Chapel elevations -30  
Existing SW &SW Chapel elevations -31  
Existing garage floor plans and elevations – 32  
Existing site NW&NE elevations – 33  
Existing site SE&SW elevations -34  
Existing Site sections A&B – 40

Proposed Block Plan – 120  
Proposed Site Plan -121  
Proposed GF plans mews – 122  
Proposed FF&SF Plans mews – 123  
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Proposed GF plan pair – 125 B  
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Proposed site sections A&B – 133  
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Drainage Report - ,  
Ecology Report - ,  
Heritage Impact Statement ,  
Structural Report - ,  
Transport Statement

## **RECOMMENDATION: REFUSE**

Case Officer: Mr David Wong  
Date Valid: 25.03.2022

**This application is presented to Planning Committee at the request of the Local Member**

### **1.0 APPLICATION DETAILS**

1.1 Hebron Hall is located to the rear of Monnow Street towards the southern end of the street. The site is set back from the main shopping street and occupies a large plot with the existing chapel to the rear facing Blestium Street car park. The building is in the town centre, within the

central shopping area, but set back from the primary shopping frontage. The site is within a flood zone, C1. The site is also in the Monmouth Conservation Area and so there is a concurrent application for Conservation Area Consent for the demolition of the chapel. The application proposes the demolition of the existing chapel and the redevelopment of the site to provide seven new dwellings, made up of a pair of semi-detached dwellings in the position of the chapel and a row of five mews houses to the rear of the site with parking and amenity space.

### 1.2 Value Added

There have only been small amendments to the plans since the initial submission, however a thorough investigation of the impacts of flooding has been considered.

### 1.3 Proposal Description

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

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2022/00473	Proposal of 7 mews cottages to replace Hebron Hall, a disused Pentecostal chapel and community room positioned off Monnow Street in Monmouth. Proposed removal of an existing garage. Creation of a new public through route from Monnow Street to Howell's Place	Pending Consideration	
DM/2022/00511	Proposal of 7 mews cottages to replace Hebron Hall, a disused Pentecostal chapel and community room positioned off Monnow Street in Monmouth. Proposed removal of an existing garage. Creation of a new public through route from Monnow Street to Howell's Place (Conservation Area Consent)	Pending Consideration	
DC/2017/00691	New Build retail (A1/A2/A3/B1) on the site of an existing garage comprising 62sqm	Approved	07.11.2017

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### **Strategic Policies**

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

### **Development Management Policies**

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements  
 CRF1 LDP Retention of Existing Community Facilities

RET1 LDP Primary Shopping Frontages  
RET2 LDP Central Shopping Areas  
GI1 LDP Green Infrastructure  
NE1 LDP Nature Conservation and Development  
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  
SD3 LDP Development and Flood Risk

## **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>

Renewable Energy and Energy Efficiency SPG March 2016:

<http://www.monmouthshire.gov.uk/renewable-energy-energy-efficiency-supplementary-planning-guidance>

Green Infrastructure April 2015:

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

Primary Shopping Frontages Supplementary Planning Guidance April 2016:

<http://www.monmouthshire.gov.uk/app/uploads/2016/05/Primary-Shopping-Frontages-SPG-April-2016-with-footer.pdf>

Monmouthshire Parking Standards (January 2013)

<http://www.monmouthshire.gov.uk/app/uploads/2015/07/Mon-CC-Parking-Standards-SPG-Jan-2013.pdf>

## **Conservation Area Appraisal**

Monmouth Conservation Area Appraisal (March 2016):

<http://www.monmouthshire.gov.uk/planning-policy/supplementary-planning-guidance/monmouth-conservation-area-appraisal>

## **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.

### **Technical Advice Notes**

Technical Advice Note 6 - Planning for Sustainable Rural Communities (2010):

<http://gov.wales/docs/desh/policy/100722tan6en.pdf>

Technical Advice Note (TAN) 15: Development and Flood Risk (2004):

<http://gov.wales/topics/planning/policy/tans/tan15/?lang=en>

## **5.0 REPRESENTATIONS**

### 5.1 Consultation Replies

**Monmouth Town Council** - recommends approval subject to conditions:

seeking electric charging points for each property

consideration of sustainable urban drainage

consideration of the potential impact of noise in relation to the air source heat pumps

consideration of the potential impact of phosphates and the SAC

further comments are made in relation to the loss of the building and the redevelopment potential, parking, access, green space, design and materials, drainage, noise and phosphates.

**MCC Highways** – Objection

The proposed new estate road access shown on drawing 224-121 is not considered to meet the criteria set out within the Welsh Government Common Standards for residential estate roads. The standards state that roads serving more than five properties shall be built to adoptable standards. In addition, the parking provision is integral, this is not considered to count to overall car parking provision and so overall provision falls short. Furthermore, there are concerns that the estate road is not sufficient in terms of width to allow ease of access in and out of the respective garages. Highways recommend refusal of the application based on the layout submitted.

**Natural Resources Wales (NRW)** – Object to the proposals.

The site is within a flood zone C1, where development in principle is acceptable subject to criteria and whether the effects of flooding can be properly managed. NRW's advice states that the Flood Consequence Assessment (FCA) and additional information submitted fails to demonstrate that the risks and consequences of flooding can be managed to an acceptable level. Therefore, given the depth of flooding at the site and the limited options for the applicant to acceptably mitigate the flood risk, we object to this application in its current form.

**MCC Heritage** – No Objection.

There is a concurrent Conservation Area Consent application for the demolition of the chapel building. As part of these applications a Heritage Impact Assessment has been carried out and finds that the chapel is a very simple example of its type and that it is not the only example of its type in the vicinity. The building also suffers from significant structural issues and is in a poor state of repair. The building, despite being identified as making a particularly positive contribution to the character of the conservation area, is suffering from neglect. The proposals to redevelop the site are considered to make a positive contribution to the character of the conservation area and so on balance it is considered that the application meets the test of preserving the special character or appearance of the conservation area.

**Environmental Health** – Raises concern.

Request additional information to show how the development is going to achieve noise standards for the occupants. This should also include how the development will consider the impact of noise in relation to the proposed Air Source Heat Pumps (ASHP) on neighbouring properties.

Recommend that a site investigation/risk Assessment procedure to be undertaken by the developer. In the absence of this study conditions related to contaminated land are suggested. Further conditions in relation to a Construction Environmental Management Plan be submitted.

#### **Glamorgan Gwent Archaeological Trust (GGAT) – No Objection**

Given the extensive research and understanding of the locality it is likely that the development has the potential to encounter archaeologically significant remains during the work. Therefore, it is recommended that a condition is applied requiring a written scheme of investigation and building recording, (level 2) in relation to the existing building on site.

#### **MCC Ecology No objection**

Bat and Bird surveys have been carried out and confirmed low risk to the conservation status and mitigation proposals are acceptable. Conditions are suggested in relation to lighting and securing mitigation. Screening in relation to the impact of phosphates will need to be completed.

#### **MCC Landscape/Urban Design – objection**

Concerns over the SE terrace elevation which is not complementary to the setting, appears not to respond to the secondary active frontage or to architectural form and not consistent with the localised built form. The SW terrace has architectural form and texture, however the NE terrace elevation would benefit from further detail to reduce the expanse of brick in the form of timber cladding, render and brick detailing to corners, lintols and entrances.

Proposed shrub and tree planting is welcomed, opportunities are there for an additional street tree on the SE elevation. A planting schedule should be provided as well as a clear lighting strategy. Conditions are suggested.

#### **Drainage**

Lead Local Flooding Authority – Object

Flooding -The impact of flooding provides cause for concerns regarding these proposals and is not considered to be compliant with TAN15.

Surface Water Drainage – the application states that surface water is to be discharged to the public sewer, however we note DCWW objection to this. We request that the applicant obtains an indication from DCWW that they are happy with this approach. A Sustainable Urban Drainage system (SuDS) will be required and approved by SAB (SuDS Approving Body).

#### **Welsh Water - no objection**

DCWW consider that the development will overload the existing public sewerage system as no improvements are not due to be completed until October 2022. They advise that Monmouth WwTW does not have a phosphate permit. A subsequent re-consultation in August 2022 confirmed no objection in relation to capacity of the sewers. DCWW identified the position of the public sewer and required a no build zone around this. Should the application be approved a condition confirming no surface water shall connect to the mains is applied.

### 5.2 Neighbour Notification

None received

### 5.3 Other Representations

Some comments have been lodged against the concurrent Conservation Area Consent Application which are as follows:

In support – 2

This will bring a derelict site back into positive use which would benefit the area in a number of ways. This will improve the visual appearance of the area and will meet the needs of many young individuals and families in the area and provide some natural surveillance.

Some concerns over disruption during the build but the outcome will improve the overall facility of the area and is beneficial to the town.

Support for the redevelopment, however concerned that every effort should be made to seize the opportunity to provide a public thoroughfare, the space provided on the plans does not appear to create a safe and pleasant route for wheelchair users. Concerns over the space for parking and turning, suggesting parking would be better in the public car park.

#### Objection – 2

Concerns relate to over development of the site, the buildings are out of keeping with the two storey cottages or houses typical of the alleys along Monnow Street, the buildings should be reduced in height and number.

Concerns relate to a badly located and designed thoroughfare, whilst this is welcome in principle, the proposed route is tortuous and passes dangerously and immediately in front of the garage entrances. Priority should be given to people rather than cars.

That the existing building should be repaired and renovated, the proposals are not appropriate and don't respect the conservation area.

### 5.4 Local Member Representations

Cllr Catherine Fookes requested that the application be considered by the Planning Committee due to the scale of the proposals and the impact on the town centre.

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**

PPW 11 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. The site is located within the Monmouth development boundary within which there is a presumption in favour of new residential development subject to detailed planning considerations. The plot is of sufficient size to accommodate seven residential dwellings. Policy S1 states the main focus for residential development will be within the Main Towns, which includes Monmouth. Policy H1 identifies the development boundaries within which residential development will be permitted subject to detailed planning considerations. Therefore, the principle of new residential development in this location is acceptable.

The development in line with Future Wales, The National Plan up to 20240, which promotes a 'town centre first' approach to development. P65 states 'The growth aspirations of Future Wales are an opportunity to regenerate our towns and cities and shape their extent, structure and density. Placemaking is at the heart of the planning system in Wales and this policy establishes a strategic placemaking approach and principles to support planning authorities to shape urban growth and regeneration'.

The proposed dwellings would provide much needed town centre accommodation and support the regeneration of Monmouth Town Centre. They accord with the aim to increase density in town centre locations supporting the long term economic health of evolving town centres. The proposals accord with the emerging Transforming Towns agenda for Monmouth aiming at delivering public realm and active travel improvements along Monnow Street. The building is in a poor state of repair and so would significantly benefit the town by providing a high quality housing-led development providing a key lateral link into Monnow Street.

The proposed development therefore accords with the key principles of Future Wales, PPW 11 and the Adopted Local Development Plan.

### **6.2 Sustainability**

The Local Development Plan (LDP) and PPW encourage sustainable development and promote making the most efficient use of brownfield land. This is a sustainable location for a new residential development as it is located within an existing residential and town centre location, close to many

facilities such as the playing fields and school provision for all years. Monmouth is served by a local bus service linking it to the other main towns and wider area including other modes of transport such as train stations. The proposal accords with a key objective of PPW11 providing residential accommodation in a sustainable location.

### 6.2.1 Good Design

The application proposes the demolition of the existing Hebron Hall and the rebuilding of a pair of three-storey dwellings at the western end of the site (on the position of the current chapel) and a terrace of three-storey mews dwellings positioned east to west into the rear of the site. They follow the grain of mews developments extending in a linear form as found in Howells Row, positioned very closely to the north of the site. Therefore, the layout is sympathetic and characteristic of the development pattern of the area. The scale of the buildings is three-storey, having a maximum height of 9m which is similar to that of the surrounding buildings. Those facing Monnow Street are approximately 9.5m to 13m high, those to the rear, generally have a lower scale of 7-7.5m. However, given the mix of building heights and scales the proposed terrace to the rear is not considered out of context or overly tall so as to have an adverse effect on the character of the area.

The dwellings have a contemporary design, with a repeated pitch and ridge roof to break down the overall mass and integrate the buildings into the surroundings of differing roof pitches and styles. This is a traditional style of roof construction but given a contemporary approach with the arched ridges and standing seam zinc roof covering. The walls are to be finished in a red brick with aluminium doors and windows, balconies are to be set within the building and not projecting maintaining a clean line and rhythm that emphasis the modern approach to a traditional mews terrace. The design and materials of the proposed buildings are considered to provide a positive architectural contribution to the character of the area in line with DES1. This is also considered to be an appropriate form of development within the Conservation Area in line with the requirements of LDP Policy HE1 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The proposed development also promotes sustainable building and living criteria, with the inclusion of air source heat pumps, reduced energy and CO<sub>2</sub> emissions through modern construction techniques and high performance materials and insulation, a waste strategy to deal with communal recycling and EV charging points. The development will also accord with SuDS and provide enhanced GI and ecological mitigation.

### 6.2.2 Place Making

The proposed development is of a contemporary approach to traditional backland mews terraces which is a traditional type of development in urban environments. The contemporary approach seeks to follow the scale and mass of existing buildings and respect the more linear development found in this part of the town. The approach taken is similar to that of other rear backland housing developments and helps to support a sense of place and distinctiveness for Monmouth. In addition the application proposes a public thoroughfare running through the site linking the rear parking areas directly to the main shopping street. This will also create additional provision for enhanced public realm improvements when viewed from Monnow Street.

Concerns have been raised by the Urban Design and Landscape Officer relating to the south-east elevation of the terrace, which is the gable end of the terrace facing outwards from the rear of the site. Suggestions have been made that this is out of context with the localised built form and that the elevation would benefit from cladding or other architectural detailing to reduce the expanse of brick. Whilst this is a tall and simple elevation, the elevation will not be read alone, this will be viewed in context with the whole terrace and read as one architectural composition. Whilst some alterations could be made to this elevation the applicant was keen to retain the architectural vision of the design as existing.

It is considered that the buildings are of a form and scale that is appropriate within the historic town centre location and use materials and design approaches that are complementary but modern within the Conservation Area. The replacement buildings are considered to have a

positive impact on the character of the Conservation Area in line with the criteria set out above and in LDP policies HE1 and DES1.

### 6.2.3 Green Infrastructure (GI) and Landscape

The application proposes the redevelopment of a brownfield site which currently makes very little contribution to the GI of the area. The Council's Urban Design and Landscape Officer has welcomed the proposed shrub and tree planting and identified opportunities for more street planting, particularly on the south-east elevation of the terrace. This is considered an enhancement over the current arrangement and is a welcome attempt to incorporate GI into an urban brownfield site. Conditions have been suggested for a planting schedule and a lighting strategy and would be considered appropriate. Landscape and Urban Design considerations have been addressed under para's 6.2.1 and 6.2.2 above.

### **6.3 Historic Environment**

As stated, the site is within the Monmouth Conservation Area and therefore is considered against the criteria set out in Policy HE1. This states that all new development within the Conservation Area should:

- a) preserve or enhance the character or appearance of the area and its landscape setting,
- b) have no serious adverse effect on significant views into and out of the Conservation Area,
- c) have no serious adverse effect on significant vistas within the area and the general character and appearance of the street scene and roofscape,
- d) use materials appropriate to their setting and context and which protect or enhance the character or appearance of the Conservation Area; and
- e) pay special attention to the setting of the building and its open areas.

In this instance the application is accompanied by an Application for Conservation Area Consent (CAC) for the demolition of the existing chapel on the site. The assessment of the CAC takes into consideration the contribution of the existing building, and the contribution that the proposed replacement building would have on the special character of the Conservation Area which has been considered by the Council's Heritage Officer. The Heritage Officer states that the existing building does make a contribution to the character of the conservation area, being a simple chapel set back from the main street. However, it is acknowledged that this is one of several chapels set back from the main street in Monmouth, and that this particular example is a very simple building being of limited architectural quality. In addition, the current condition of the building, being in a poor state of repair and having considerable structural issues, together with modern interventions and alterations, mean that its overall contribution has been compromised.

The consideration then falls to the replacement building, and as discussed in the above paragraphs relating to placemaking, the new buildings are considered to be appropriate to their setting and make a positive contribution to the sense of place.

The site is also in close proximity to a number of listed buildings; however these form the main street facing in a westerly direction onto Monnow Street. These buildings were mainly on former burgage plots extending back outwards from the line of the street. They are all of a similar later Georgian character with primary frontages and later extensions to the rear. They form a varied character of roof heights, pitches and styles. Given the scale and architectural style of the proposed dwellings, this is not considered to have an adverse impact on the setting of the surrounding listed buildings.

The site is also within an Archaeologically Sensitive Area and so Glamorgan Gwent Archaeological Trust have responded to the consultation stating that given the extensive research and understanding of the archaeology in the area it is known that the development could encounter archaeology and recommend conditions requiring a written scheme of investigation and a building recording of the chapel prior to demolition.



Therefore, the impact on the character of the Conservation Area, archaeology and surrounding listed buildings is considered to enhance the special character of the Conservation Area in line with LDP Policy HE1. The development is also considered to preserve the setting of the adjacent listed buildings, in accordance with s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **6.4 Biodiversity**

The application has been supported by ecological surveys for bat and bird activity. These concluded that the site has a low risk conservation status given the condition of the building, the low level of vegetation on the site and its position in the urban environment. Therefore, the site is considered to have a low ecological value. The application proposes a mitigation strategy including the need for a licence obtained through NRW and compensatory roosting provision. There are more roosts provided than the number of bats found which would result in a net gain. In addition, a condition is suggested to manage external lighting.

### 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 SACs. 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. The application site is within the catchment of the River Usk Special Area of Conservation (SAC). On the 21 January 2021, NRW published an evidence package outlining phosphorus levels for all river SACs across Wales.

As part of this package, they issued a Planning Position Statement, in which they advised that any proposed development that might increase the amount of phosphate (or phosphorus) within a river SAC catchment could lead to damaging effects to the SAC. Therefore, such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a signification effect on the SAC.

In this case the site is within a Phosphorous Sensitive Area and the development does have the potential to have a harmful effect on the SAC. However, as part of the application a drainage statement has been provided. This shows that the current drainage from the site which includes the existing chapel and associated uses together with the drainage from the extant planning permission is more than the proposed flows resulting from the proposed seven dwellings. These have been considered as follows.

#### Existing flows

Chapel 917 Ltr per day

Extant PP 5950 Ltr per day

**6567 Litres/day**

#### Proposed flows

**3360 Ltr per day**

NRW have responded in relation to phosphates in their consultation response of 13 September 2022. They refer to the method of calculating flows of drainage and state that the consideration 'should be a planning judgement on what baseline figures should be used in the calculating pre and post development flows.' It is considered that the fall back position of implementing the previous permission DC/2017/00691 is acceptable. All conditions in relation to this permission have been discharged and works commenced on site in the form of drainage which has been confirmed by Building Regulations. Therefore, the implementation of this permission could be carried out immediately. On this basis it is considered appropriate to use these calculations as part of the assessment of drainage.

Therefore, on the basis that the development would result in a reduction of discharge creating a betterment of flows from the site it is considered that the proposal would meet the screening criteria set out in Planning Advice (May 2021), and so the proposal is not likely to have a significant effect on the River Usk SAC.

## 6.5 Impact on Amenity

The development is in two main blocks, the replacement building on the site of the existing chapel and the rear mews terrace. In relation to the replacement building, this is set on a similar footprint as the existing chapel. The existing chapel building is positioned approximately 3m from the rear of the buildings along Monnow Street at its closest point. The replacement pair of dwellings will occupy a similar footprint, just set back by an additional 3m from the rear of 84-90 Monnow Street improving the situation over and above that of the existing building. The existing ridge height of the chapel is 11.7m and the proposed ridge height will be 9.7m, therefore again reducing any overbearing impact when considered against the current arrangement. The buildings along Monnow Street have varied ridge heights, the closest buildings being 12.2m and 9.5m, therefore the proposed 9.7m is within this context and would not appear to be incongruous or overbearing.

There are habitable rooms facing towards the rear of 84 and 90 Monnow Street, however the building at present is 3.2 and 2.7m from the rear of the 84 and 90 respectively at ground floor level increasing to 8.3m at first floor. As stated, the proposed replacement building will be set back from its original position to allow an appropriate pedestrian thoroughfare through the site. This means that the proposed building will be 11.5 and 11.1m away from the rear of 84 and 90 Monnow Street. The rear of 88-90 contains two flats to the upper floors, the rear of 84 is commercial and storage. It is considered that the intervening distances between the rear of 84 and the new dwellings is acceptable based on the commercial use of the building and that no unacceptable level of overlooking is created. To the rear of 88-90 the flats are 11m from the rear of the new dwelling. The habitable rooms to the immediate front of the proposed replacement dwellings will have obscure glazing from the kitchen, dining, bedroom and en-suite which will mitigate for the shorter than average distances. Given the town centre location, characterised by a densely built environment, there is already a higher than normal level of overlooking and therefore it is not considered that the proposals would present a harmful increase in overlooking to warrant refusal. On balance this aspect considered to be acceptable.

80 and 82 Monnow Street extend out to the rear of the plot with a rear outside seating area for the café (currently Coffi Lab). At first floor the rear extension is two storey and is currently 11.9m from the side of the chapel building given the existing side single storey extension. The proposed pair of dwellings will be located closer to the rear extension of 80/82 Monnow Street being 8.5m side to side of the buildings. There are habitable rooms with windows in the side elevation facing 80/82. These distances are less than normally required, but again, given the dense urban environment and current level of overlooking, this is considered to be acceptable. To provide some mitigation these windows should be obscured glazed, secured through a condition.

To the south-west, there is a large building which is in association with Earnest Heal and Sons; this is a tall single-storey building that is in commercial use. The existing chapel is currently 12m from the side elevation of this building, the proposed dwellings will be 13m away from this building and as discussed of a lower scale and mass and therefore this is considered to have a beneficial impact on the adjacent buildings compared to the existing situation. The proposed terrace would be 8m away from the corner of this building. Given this is a commercial use with few windows to the north-east elevation, it is not considered that the proposed terrace would have an adverse overlooking impact on this commercial building.

The proposed terrace will have a ridge height of 9.2m; this is comparable to the adjacent nursery building which also has a ridge height of 9.2m. To the north-east of the site, the terrace will face the front elevation of Howells Place. There is a separation distance of 24m between the two properties which is compliant with the SPG that requires 21m from principal habitable rooms. There is a large two-storey building set to the rear of the adjacent site used as a day nursery. This building will be 9m from the front elevation of the end of the terrace. The nursery is 9.2m high, this will be the same as the proposed terrace. The terrace will be in close proximity to the existing

nursery however, the character of the area is of a rear backland development which is of varying heights and scale. The existing Howells Row is 6m from the side of the nursery which extends the whole length of the nursery building. The proposed terrace will be 9m from the side elevation of the Nursery but only in part. This helps to maintain some open space between the two, limiting the overbearing impact. Given the built-up, urban nature of the site and the existing uses, it is not considered to have an overbearing or overlooking impact on the commercial property.

Further to the south-west, there are smaller former garages, one converted into a retail space (The Computer Centre). All of these buildings are low scale and commercial in nature. The Computer Centre is adjacent to the rear of the site and will be situated adjacent to the south-western end of the terrace immediately adjacent to the visitor parking. The proposed terrace will be substantially taller than the former garage, but the same height at the nursery close by. The garage immediately adjacent, currently used for storage, will be demolished to provide a parking area, it is the outer garage that is converted as a commercial unit. It is therefore not considered to have an overbearing impact on these properties given their current use. Further to the south-west is another single-storey storage building (10m away) and the two-storey building of Castle Gate Medical Centre (23m away), and then the three-storey building of Waitrose (37m away). It is considered that these buildings are far enough away for the proposed terrace not to have any harmful impact.

## **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 within the town centre of Monmouth, where there is a comprehensive range of retail and service facilities including schools. The site is in a highly sustainable location so that the occupiers of these dwellings will be less reliant on the car to go about their daily business.

### 6.6.2 Access / Highway Safety

The Highways Officer has raised concerns that as the development features more than five units the private shared drive is the primary means of access and should be brought up to adoptable standards. The applicant does not wish this access to be adopted and maintained as a public highway. The highway standards seek a minimum of 4.5m for an access within the site. This has been achieved and the access is proposed to be increased to 5.2m reducing to the desired 4.5m within the site allowing two cars to pass side by side. A turning area is provided in front of plots 6 and 7 to allow cars and delivery vehicles to enter and exit in a forward gear. It is acknowledged that the site contains more than five dwellings but given this is a town centre location the parking area is more of a parking courtyard rather than an access road. Refuse vehicles will not be entering the site, collections will be made kerbside at the rear entrance to the site and not within it; a dedicated store is to be provided adjacent to the visitor parking at the rear entrance to the site. Thus, it is considered that on this occasion the highway access provision is safe and would not have a harmful effect on the highway network. On balance, the proposal is considered acceptable having regards to access and accords with Policy MV1 of the LDP.

### 6.6.3 Parking

The adopted Monmouthshire Parking standards require one car parking space per bedroom up to a maximum of three per unit which would equate to 14 spaces. In this instance there are seven two bed units, each unit has a single garage for one parking space and three visitor parking spaces are provided to the rear of the site. The parking standards do not consider integral garages to count towards parking provision. PPW Ed.11 places great emphasis on ensuring that new development can be adequately serviced by public transport to encourage modal shift to more sustainable forms of transport. Future Wales (FW) promotes lower levels of car parking and advocates a shift from car-led developments. Given that Monmouth is a sustainable location in terms of public transport provision with a variety of modes, and Welsh Government 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 addition, the site is immediately adjacent to a large public car park ensuring that overspill parking does not create a highway safety issue.

The parking provision to the undercroft of the dwellings needs to be maintained in perpetuity by removing permitted development rights to change the use of these spaces.

## 6.7 Affordable Housing

Policy S4 of the Local Development Plan requires affordable housing contributions to be made in relation to developments which result in the net gain in residential dwellings. The policy says that within the Main Towns, of which Monmouth is one, developments sites with a capacity of five or more dwellings will make provision for 35% of the total number of dwellings on the site to be affordable. In this case two affordable units (the paired dwellings) are being provided on the site; these are both two-bedroom units and are compliant with DQR standards. The provision of two-bedroom units is in line with the need demonstrated by the local housing register. The affordable units will be constructed by the developer and then passed onto a social housing provider. This will be secured via a s106 Legal Agreement.

## 6.8 Flooding

The site is within a C1 Flood Zone as defined in the Development Advice Map (DAM) contained in TAN15, this means the site is within a flood zone but is protected by significant infrastructure/defences along the River Monnow. Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified. Paragraph 6.2 of TAN 15 says that new development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue. In zone C the tests outlined in sections 6 and 7 will be applied, recognising, however, that highly vulnerable development (residential) and Emergency Services in zone C2 should not be permitted. All other new development should only be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. Development, including transport infrastructure, will only be justified if it can be demonstrated that:

- i) Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or,
- ii) Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region; and,
- iii) It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1); and,
- iv) The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and Appendix 1 found to be acceptable.

Considering these tests:

Tests i) or ii), the location is a highly sustainable location where PPW and Future Wales promotes the efficient use of land and the relevant LDP policies support residential development within existing settlements. The site is currently in poor condition with the existing building boarded up for safety following repeated attempts to break in. The redevelopment of the site to provide a high quality environment, much needed affordable housing and a key pedestrian link from the main street to the wider parking courts beyond align with the Council's Transforming Towns agenda and regeneration initiatives to support the vitality, viability and employment opportunities of the town centre.

Test iii), in this case the site is previously developed land (a brownfield site with former buildings on the site).

Test iv) that the consequences of flooding are acceptable.

NRW have responded to the consultation stating -

A Flood Consequence Assessment (FCA) was undertaken by RSK referenced 680554-R1(01) - FCA dated July 2022. Our advice to you is that the FCA fails to demonstrate that the risks and consequences of flooding can be managed to an acceptable level.

The following flood depths are provided in the FCA addendum:

- 1% (100) plus climate change event flood depths range from approximately 0.94m to 2.17m on site. The combination of flood depths and velocities results in a low to moderate hazard rating for the site during the 1% plus climate change event.
- 0.1% (1000 year) flood depths range from approximately 2.08 to 3.32m on site. This event experiences very low velocities of less than 0.5m/s within the site boundary. The combination of flood depths and velocities results in moderate to high hazard rating for the site during the 0.1% event.

The proposed ground floor of the terrace and the pair of dwellings is proposed to be used for garaging and storage. The main residential accommodation will be at first floor level, with a finished floor level of 2.4m above external ground levels, although the ground floor accommodation will not be flood free in the event of a 1 in 100 year flooding event. The FCA concludes that the site could flood to an extent of 0.94m to 2.17m in this form of event. TAN 15 (A1.14) states developments should be designed to be flood free during a 1% fluvial flooding event. The development includes that of the whole site, including the parking areas on the ground floor. This is confirmed by NRW's response of January 2023. Unfortunately, the FCA as identified above shows flooding to a depth of 0.94m to 2.1m at the site in a 1% (1 in 100 year) event, meaning that the development fails to comply with the requirements of the TAN. NRW also raise concerns regarding the impact of flooding in the event of a 1 in 1000 year event, as depths could exceed 3.32m meaning that the first floor would not be flood free. However, less weight is given to 1 in 1000 year events as these are very infrequent and less likely to have an impact on the lifetime of the development, that would be approximately 100 years.

It is however noted that the 100 year plus climate change data shows the flood depths, but also coincides with very low velocities of less than 0.3m/s within the site boundary, meaning that the site will take some time to flood to these depths. In the 1000 year event, this is 0.5m/s. NRW operate an early warning system notifying owners/occupiers of potential flood events so prior preparation and evacuation where necessary can take place appropriately. This form of mitigation and flood management will not have an adverse impact on flooding elsewhere and can be included as part of a flood management plan. However, this does not reduce the actual risk of flooding on site.

Other options such as raising the ground levels within the site are impractical and would result in increased flooding elsewhere, again failing to comply with the requirements of TAN 15.

LDP policy S12 states that all new development must demonstrate sustainable and efficient resource use, this includes renewable energies, techniques and construction as well as ongoing efficiency of the site. The Design and Access Statement sets out how the proposed development would take into account the use of renewable technologies and appropriate construction techniques as well as ongoing efficiency of the users of the site to future proof the proposals. This is considered to be compliant with the first part of S12. However, as the FCA has demonstrated the site is subject to flooding and despite being in a sustainable location, the FCA demonstrates that the extent of flooding is not acceptable and not compliant with the advice set out in TAN 15.

LDP policy SD3 refers specifically to flood risk, stating that highly vulnerable development will not be permitted in areas which may be liable to flooding, unless the residential development is for the conversion of upper floors within the settlement boundary. Developments within the flood plain will be required to demonstrate:

- The development can be protected by approved engineering or other flood protection measures,
- Such measures will not cause adverse flooding elsewhere,

- The development and mitigation measures can be sympathetically assimilated into its environment,
- The development does not interfere with other Agencies' requirements to manage flooding,
- Nature conservation is protected and enhanced.

The proposals do not relate to the conversion of upper floors of an existing building as they provide seven new build dwellings and so are considered to be contrary to this policy. In addition, the development is not protected by bespoke engineering flood defences specific to this site, however, Monmouth is protected by existing flood defences. It is not considered that the development will cause adverse flooding elsewhere and the development is appropriately assimilated within its environment, nor does it interfere with the ability of other agencies to manage existing flood defences. The nature conservation status of the site is also maintained.

In conclusion, the development fails to accord with LDP Policy SD3, regarding the need to avoid the siting of inappropriate development in areas at risk of flooding.

## **6.9 Drainage**

### **6.9.1 Foul Drainage**

The application is within a sewered area, therefore the application proposes that the new residential units would use the same mains sewerage system as the existing buildings on site. This is in line with Welsh Government's Drainage Hierarchy. DCWW initially raised concerns that the capacity of the sewer network in Monmouth was not able to cope with further developments until improvements had been made in October 2022. The LPA is aware that these have now been carried out and that the current system has increased capacity. In addition the extant permission on the site could be carried out which would also connect to the mains sewer and therefore due to increased capacity and a fall back position the proposals are considered to be acceptable.

DC-WW raised no objection in their second consultation response in August 2022, however did identify the position of the mains sewers at the front of the site and required a 3m no build zone. The pair of dwellings has therefore been positioned to avoid building on or near the mains drains.

### **6.9.2 Surface Water Drainage**

The application proposes to take full advantage of the requirement to achieve SuDS compliance through harvesting, infiltrating, slowing and storing run off on site. The anticipated approach will be a combination of components on the surface and below ground specifically beneath the surface of the cobbled roadway to allow the surface water to be managed effectively. This will be fully assessed and independently approved via a separate Sustainable Drainage Application. DCWW and the Lead Local Flood Authority have confirmed that a SUDS application will be required which will ensure that all surface water is appropriately managed.

## **6.10 Noise**

The Council's Environmental Health Officer responded to the consultation requesting further information in relation to internal and external noise levels and requested an acoustic report to confirm how levels will be achieved. However, given the dense urban environment, adjacent to existing commercial properties and a large car park it is not considered necessary to request a full noise report. Additional information, however, was requested in relation to the proposed air source heat pumps (ASHP). This has been provided stating that the proposed ASHP would create 46bd of noise within 1m reducing to 36bd within 3m and 32bd within 5m. For comparison a standard refrigerator emits 40db of noise which is considered to be acceptable within this urban environment.

## **6.11 Planning Obligations**

The proposed development is subject to an affordable housing contribution and as identified above this is the provision of two on site two-bedroom dwellings. This would be secured through the Section 106 Agreement.

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

6.12.1 Concerns have been raised in relation to the following issues:

That the proposed buildings are out of context/character for the site. As discussed above the site is an urban environment surrounded by varied roof heights, styles and uses of buildings. The proposed development is considered to be distinct but complementary to the surroundings and appropriate within an urban environment. Concerns have also been raised about over development, however as shown in this context the proposed development is appropriate and accords with National Policies regarding development within urban areas.

Concerns in relation to the public thoroughfare. The inclusion of an open and public pedestrian link through the site is welcomed; it is not considered that the shared space to the rear poses substantial harm to pedestrians given the very low speeds of cars that would be using the shared parking court to the rear.

Concerns that the existing building should be renovated and repaired and not demolished. The consideration for demolition of unlisted buildings in Conservation Areas has been set out above. It is considered that the demolition and redevelopment of the site as proposed preserves or enhances the special character of the Conservation Area.

Support has been provided from Monmouth Town Council who requested EV charging in each property, consideration of the SAB requirements, details of the proposed air source heat pumps (ASHP) and consideration of phosphates. EV charging has been included in the plans and details of the ASHP have been provided. SAB approval is a separate application and will be considered by the SAB Team and the issue of phosphates has been considered above.

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

6.13.1 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.

## **6.14 Conclusion**

6.14.1 The proposed development of this brownfield town centre location is broadly supported. The development is considered to bring multiple benefits to the town in terms of sustainable housing, provision of on-site affordable housing, public realm improvements and a general improvement of the character and appearance of the area. The development accords with the principles of the town centre first approach set out in National Policy (Future Wales), the objectives of Planning Policy Wales Ed.11 and the strategic and development management policies of the Local Development Plan.

However, as the FCA has demonstrated, the site floods in a 1 in 100 year (plus climate change) event to potentially 2.1m. TAN 15 sets out criteria for assessing flood risk in relation to new, highly vulnerable development, that it should be flood free within these flood events. The development as proposed will not be flood free. Alternative mitigation such as raising ground levels is not considered appropriate in this context and will have an adverse effect on flooding elsewhere, again contrary to policy.

## **7.0 RECOMMENDATION: REFUSE**

### **Reason for Refusal:**

The development would result in the location of a form of highly vulnerable development within Flood Zone C1 as identified by the Development Advice Maps referred to under TAN 15 - Development and Flood Risk. Due to the level of flooding identified with the Flood Consequence Assessment, the proposal would be contrary to the advice contained in Planning Policy Wales Technical Advice Note 15 Development and Flood Risk and policies S12 and SD3 of the Monmouthshire Adopted Local Development Plan.