

**Application Number:** DM/2024/00557

**Proposal:** Proposed development of 50 affordable dwellings, sustainable drainage proposals, landscape planting, car parking and associated works.

**Address:** Land Off Tudor Road Wyesham Monmouth

**Applicant:** c/o Agent

**Plans:** 151-1 - F, 150 - E, 150-1 - F, 151 - F, 152 - E, 152-1 - E, 153 - D, 153-1 - D, 155 - F, 155-1 - F, 158 - F, 159 - E, 1804-100 - M, 103 - E, 1807-107 - A, 100 - I, 101 - B, 102 - E, 105 - D, 106 - E, 107 - D, 108 - C, 110 - E,

## **RECOMMENDATION:**

Case Officer: Mr David Wong  
Date Valid: 03.05.2024

**This application is presented to Planning Committee due to the number of third party objections received being greater than 5.**

### **1.0 Background**

1.0.1 Tudor Road is one of two Urban Sites allocated within the Monmouthshire Local Development Plan (LDP) for residential development to meet the County's housing need. The site is within the Monmouth Town Development Boundary, comprising approximately 2.05 hectares on the eastern side of Wyesham, a suburb of Monmouth.

1.0.2 This allocated site is capable to deliver for around 35 dwellings. The site being on a slope and is adjacent to the open countryside, which is part of the Wye Valley Area of Outstanding Natural Beauty (AONB). The site is within the Phosphorous Sensitive Area Wye Valley Catchment and is a Registered Historic Landscape (Cadw).

1.0.3 This application has been amended several times to address concerns raised during the planning process. An amendment now includes an additional parcel of land to the northeast of the site. This land will be used to implement a long-term surface water drainage solution, which is aiming to mitigate the wider the excessive downstreaming of surface water problem that is currently impacting local residents.

1.0.4 Prior to the submission of this application, the developer's intention was to submit a standard housing scheme, providing a mix of market and affordable dwellings. However, Monmouthshire Housing Association is now working in partnership with Edenstone Homes for this project to provide a 100% affordable housing scheme.

### **1.1 Development Description**

1.1.1 This application is for the erection of 50 affordable housing units, including sustainable drainage proposals, landscape planting, car parking and associated works.

1.1.2 The scheme comprises one new vehicular access point on the west boundary from Tudor Road. A new pedestrian link to the north of the site is proposed to provide opportunity to link the existing housing estate to the west. Parking is proposed in blocks throughout the development and is broken up by location and planting to avoid a mass area of parking.

1.1.3 The dwellings are proposed to be arranged around the existing key biodiversity and green infrastructure features of the site. The height range of the proposed dwellings is between 1 and 2 storeys with a mixture of housing types such as 2-storey houses and walk up apartments, along with a number of bungalows; these single storey units are to be located to the north of the site. The development focusses on a central green space framed with two pockets of development working with the existing key plantation features, creating a green corridor. The proposed boundary treatment includes a mixture of timber, fencing, brick walls and metal railing.

1.1.4 The site has also been designed in line with the Wales Housing Quality Standards 2023. Across the site, each property has a shed that is capable to provide private cycle parking. All homes will make the best use of renewables such as air source heat pumps with no gas connection, and solar panels to serve the units. There is a new on-site community garden to the east of the site.

## 2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2024/00557	Proposed development of 50 affordable dwellings, sustainable drainage proposals, landscape planting, car parking and associated works.	Pending Consideration	

## 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  
 S16 LDP Transport  
 S17 LDP Place Making and Design  
 SAH8 LDP Tudor Road, Wyesham

### Development Management Policies

SD1 LDP Renewable Energy  
 SD2 LDP Sustainable Construction and Energy Efficiency  
 SD4 LDP Sustainable Drainage  
 DES1 LDP General Design Considerations  
 EP1 LDP Amenity and Environmental Protection  
 EP2 LDP Protection of Water Sources and the Water Environment  
 EP3 LDP Lighting  
 GI1 LDP Green Infrastructure  
 H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements  
 LC1 LDP New Built Development in the Open Countryside  
 LC5 LDP Protection and Enhancement of Landscape Character  
 MV1 LDP Proposed Developments and Highway Considerations  
 NE1 LDP Nature Conservation and Development

## **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.

Future Wales - the national plan 2040;

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 3 - Supporting Urban Growth and Regeneration - Public Sector Leadership

Policy 7 - Delivering Affordable Homes

Policy 9 - Resilient Ecological Networks and Green Infrastructure

### **Planning Policy Wales (PPW) Edition 12**

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 (TAN) 2: planning and affordable housing

Technical advice note (TAN) 12: design

Technical advice note (TAN) 18: transport

## **5.0 REPRESENTATIONS**

### **5.1 Consultation Replies**

Monmouth Town Council – Recommend Refuse. There are concerns over the site drainage due to excessive water run-off from the Kymin. The proposal comprises an on-site drainage scheme. However, it is not clear how the water run-off from the Kymin will be dealt with to prevent flooding issues.

MCC Highways - No objection subject to conditions. The design includes an amended design that overcomes our previous concerns. The site now features an independent access and a redevelopment of the existing spur to serve the existing properties. This amended design overcomes our concerns regarding the placement of the remaining private parking bay and the related footway widths.

There is no objection to the internal layout of the proposal. However, we would recommend the introduction of a method of delineation between the carriageway and parking bays of number 15-19, such as a marginal strip.

All properties now have appropriate levels of parking provision and there is suitable space within the design for on-street parking of visitors. All parking bays are located in suitable locations and appropriately designed.

MCC Housing (Affordable Housing) - In support of this application.

There is a high need for affordable housing throughout Monmouthshire, there are currently 2,097 households with a recognised housing need registered on Monmouthshire's Common Housing Register. Of these, 304 would prefer to live in the Monmouth/Wyesham area. The need for one and two bedroom accommodation is a particularly high. There is also a need for accessible accommodation i.e. bungalows.

The preference is for the homes to be neutral tenure, where tenure of housing is not predetermined but can vary according to needs, means and preferences of households to whom it is offered.

Due to the size of this development a mix of tenures would be required, it can be assumed that 70% will be provided as social rent and 30% as intermediate housing.

MCC Environment Health - Further information is required.

The nearest noise sensitive receptors in this development are located both on the proposed development and the existing properties, particularly residential, adjacent to the development.

The applicant therefore must demonstrate that good design principles will be followed to ensure impact from the noise of the ASHPs will be kept to a minimum. Ideally, this should not exceed 35dB at any noise sensitive façade of neighbouring residential premises. (This level of 35dB is at one metre from the relevant building façade, including the contribution from the sound reflecting from that facade). If it can be demonstrated that it is not practical to achieve this value of 35 dB, and the local context supports a relaxation (Taking account of the character of the area, including the prevailing sound level which may influence the extent of the impact caused), then a higher criterion may be suitable. Under those circumstances it is recommended that the reasons for the relaxation are fully set out and justified. Nevertheless, it is recommended that the sound rating level should not exceed 40dB. The applicant should therefore provide details of absolute rating levels proposed from the use of a single ASHP through to the use of all ASHP at all the noise sensitive facades both of properties within the development as well as the nearest noise sensitive facades of neighbouring residential properties.

The applicant should detail what steps will be taken to ensure each ASHP installation meets the noise levels detailed above when operating singularly along with what steps will be taken to minimise the cumulative impact of the multiple ASHPs at noise sensitive receptors detailed above. Such detail should be supported by the calculations used to confirm the predicted levels.

An air quality impact assessment would be required if the development altered the Annual Average Daily Traffic movements by 500 or more. I also advise the Planning Authority to consider all developments in the area that would impact local roads and the A40/Wyebridge Street junction when considering if the 500 AADT threshold is exceeded. Should an Air Quality Impact Assessment be required, the assessment should also consider all the impact of all proposed local developments on local air quality.

A contaminated land condition is requested.

MCC Community Infrastructures - The drainage solution in the two fields above Tudor Road has been installed and completed by the local owner/farmer and, although it has improved the drainage for the residential areas in Tudor Road and the Underwood Estate, it hasn't solved the waterlogging problems on the playing field. Our drainage engineers are working with the owner to install a further drainage solution above the planning application site.

There is considerable surface water run-off from Tudor Road and from the steep slope between Tudor Road and the playing field itself. There is also a Welsh Water drain that runs across the site north to south, which discharges just below the children's play area to the rear of house nos. 40-46 Tudor Road.

A possible solution is to install a deep cut French drain with a perforated pipe along the top length of the playing field and run this down to the side of the playing field so the water discharges in the same place as the Welsh Water drain. Therefore, an off-site financial contribution would improve the situation considerably.

Glamorgan Gwent Archaeological Trust - No objection but the proposal will require archaeological mitigation. The development is of large scale, and in an area of archaeological potential. Therefore, in order to mitigate the impact of the development on the archaeological resource, we recommend that a condition, for a programme of archaeological work, taking the form of an archaeological watching brief during the groundworks. Cadw must be consulted.

MCC Land Drainage/SAB – See below:

### Surface Water Drainage

The application has demonstrated a means of surface water discharge through discharge to the DCWW surface water sewer. The details of the drainage system will be reviewed once a SAB application has been submitted.

We would highly recommend the applicant undertake a SAB pre app prior to submitting a full SAB app and any further details, as the SAB requirements could impact the layout and location of the surface water management system.

SAB – From the plans submitted the total construction area is above 100m<sup>2</sup> (building footprint, yard area, hardstanding and parking bays) if it is then SAB approval will be required prior to any works commencing on site. Please attach the following SAB informative to the decision notice and draw the applicant's attention to this requirement. This does not however subtract from the need for the drainage statement highlighted above.

### Flooding

Flood risk maps provided by Natural Resources Wales indicate the site to not be at particular risk of flooding.

Our database of previous flood events shows records of previous flood events on the site and in close proximity to the site.

Our database of drainage and flood assets records that there are drainage and flood assets in close proximity to the site.

The applicant has submitted information to support the likely flow path of the overland flow risk. There are still some outstanding details which we would need to see before we could confirm the proposal.

Therefore a condition is requested on flooding grounds (contained in Section 7 below).

NRW - We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following conditions to any planning permission granted:

Condition: Protected Sites

Condition: Pollution Prevention

Without the inclusion of these conditions we would object to this planning application.

Welsh Water - Dwr Cymru Welsh Water has no objection to the proposed development. The development therefore requires approval of Sustainable Drainage Systems accordance with the 'Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems'.

The proposed development site is located in the catchment of a public sewerage system which drains to Monmouth (Wyesham) Wastewater Treatment Works (WwTW) and ultimately discharges to a river Special Area of Conservation (SAC). We would advise that this WwTW has a phosphorus consent limit of 2 mg/l and is currently compliant with the 95% quartile for its flow passed forward (FPF) performance, at the time of this consultation.

Additionally, we can confirm that there is sufficient biological headroom to accommodate the growth aspirations of the current LDP following works to the WwTW being carried out within our current AMP7 (2020 - 2025) period.

Accordingly, we would advise there is currently suitable hydraulic capacity and biological headroom in the public sewerage system and downstream WwTW to accommodate foul water flows from the development subject of this application.

MCC Biodiversity and Ecology - No objection subject to conditions.

A revised scheme has been submitted to address concerns raised by the biodiversity officer, landscape officer and flood risk management team. The buffer between built development and field boundaries is still less than preferable for protecting boundary features and allowing maintenance of those features. However, the bund and other drainage features have been removed between the houses and northern boundary which will lessen the impact on that boundary. The extended area of the redline boundary will allow for additional screening planting to be provided within the boundary to screen the development from commuting routes used by bats. The extended area will also allow for better access for maintenance of the northern boundary. Access to other site boundaries, which are proposed to be planted with new hedging or supplementary trees will still be difficult and this will need to be addressed in a long-term management plan for the site.

The proposal will connect to the Wyesham Wastewater Treatment Works. NRW Guidance V4 states that where developments connect to a WwTW which has a permit reviewed against revised conservation objectives, there is unlikely to be a significant effect on the SAC if there is capacity in the system.

A Habitat Regulations Assessment is conducted under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended) and is concluded that the project will not adversely affect the integrity of the protected sites, subject to additional mitigation measures, including:

- \* A landscape scheme which includes additional screening planting on the northern boundary
- \* A Green Infrastructure management plan to secure appropriate long-term management
- \* A lighting strategy for bats which demonstrates dark corridors are retained
- \* Removed permitted development rights regarding lighting and boundary treatments to protect the integrity of retained field boundaries.

The proposal includes additional planting, proposed artificial nesting opportunities and management of retained grassland areas to provide net benefit for biodiversity. There is also scope to include appropriate planting in rain gardens and suds features.

Evidence of badger foraging activity has been recorded on site, the site may also be used by other small mammals including hedgehog. Nesting birds are present and it is also considered likely that reptiles will be present. Some trees that require removal have low potential for bats. The reports submitted have included appropriate recommendations for safeguarding protected species during construction which should be included in a standalone CEMP, secured with a condition. Appropriate compensation for species affected should be identified in the Green Infrastructure Management Plan.

MCC Building Control - No objection. The report presents a comprehensive site assessment, addressing geology, topography, groundwater, and potential contamination sources. The site is sloping and requires specific consideration for stability and drainage. The lack of significant contamination and the absence of radon or ground gas risks are positive indicators for residential development. The assessment suggests the site is suitable for residential development, provided the noted geotechnical and environmental recommendations are integrated into the design. Compliance with UK Building Regulations will be feasible with attention to foundation design, drainage planning, and post-clearance verification of site conditions.

Cadw - No comment.

South Wales Fire Services - No objection; standard safety advice provided. The proposals should have the principles of the Well-being of Future Generations (Wales) Act 2015 and the Future Wales - the national plan 2040 framework in mind.

MCC Public Rights of Ways - No objection. There appears to be an opportunity to use land held in the same ownership as the site, to link to Wyesham Lane to the southeast of the development. This would also link with the restricted byway and public footpath at this location. Accessibility

beyond the site and connection to key routes such as Offa's Dyke National Path to the northeast, and the Wye Valley Walk to the west are essential connections to make, and I would ask that these needs are considered and delivered as part of this scheme.

MCC Active Travel - Objection. Crossing pedestrians onto the Tudor Road footway is an issue because the current offer of a drop kerb is insufficient; a built-out on Tudor Road (immediately south of the proposed site entrance) would enable pedestrians to cross sufficiently. The corner radius of the proposed site access should be adjusted to increase visibility at the crossing point, as well as decrease the crossing distance for pedestrians. The tactiles at the proposed site should be on the desire line as far as possible.

The arrangement of the footway where it is placed between the parking spaces and carriageway should be moved to between the houses and the parking. Instead of using the proposed garden sheds for bike storage, the scheme should provide communal cycle parking provision (i.e. communal bike hangers) for easy access to bicycles to promote active travel.

Gwent Police - No adverse issue raise; general design principles offered.

Welsh Government (Agricultural Land Classification) - No objection. The site is currently allocated as a Housing Allocation (SAH8 - Tudor Road, Wyesham - 2.05ha) in the adopted Monmouthshire LDP (2014), therefore BMV policy (PPW 3.58 and 3.59) would have been considered for allocations as part of the LDP process.

MCC Landscape and GI – No objection subject to conditions and planning obligation.

## 5.2 Neighbour Notification

The neighbour objections from 12 households have been summarised below:

This proposal is not within a sustainable location.

It is unreasonable to expect new residents to be able to commute to work by walking or cycling.

There is not sufficient employment within walking/cycling distance.

The proposal will adversely affect the wildlife habitat

The proposal is an encroachment into the open countryside.

The land in question is a Greenbelt land and is bordering an ANOB.

The loss of green space in AONB.

The scheme lacks landscaping details

Additional residential development will exacerbate the flooding situation in this part of Wyesham.

The proposal will cause further congestion problem for local residents.

There is insufficient parking provision proposed to serve the development.

The existing highway network is not able to cope with additional housing.

Pressure on Wye Bridge.

There is a lack of public services in the area to serve an increased population.

A significant increase in volume of all types of vehicle causing excessive congestion and increased air/noise pollution.

The water treatment plants cannot cope with additional drainage discharge from the development.

The proposal will significantly reduce natural drainage in the area, leading to increased surface water run-off.

It is the wrong area for housing.

This is a low-quality housing scheme that will not meet the needs of the community.

Question whether or not there is a need for more housing in the area.

This is an overdevelopment of this site.

An objector mentioned she gathered a petition from the residents of Tudor Road with 66 signatures OBJECTING to this development and 89 signatures OBJECTING to this development from residents of the nearby affected houses.

One comment (neither support or object) received:

No objection to houses as people need homes, but traffic is a concern. There is only one road into this part of Wyesham, and congestion by the shop could in emergencies cause problems to the residents living in the top part of Wyesham.

### 5.3 Local Member Representations

No response to date.

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/Place making**

6.1.1 The Monmouthshire Local Development Plan (LDP) and PPW encourage sustainable development and promote making the most efficient use of brownfield land. Tudor Road is one of two urban Sites allocated within the Monmouthshire Local Development Plan (LDP) for residential development to meet the County's housing need. The site is located within the identified settlement boundary of Monmouth, which is designated as one of the Main Towns within the current Monmouthshire Local Development Plan (LDP). It is a sustainable location for a new residential development, as it is located immediately adjacent to an existing housing estate, close to many facilities such as local shop, playing fields and school provision. The site is linked to other parts of Monmouth by a local bus service, including the town centre, which there are bus services linking to the other towns and wider area including other modes of transport such as train stations.

6.1.2 Policy H1 of the LDP says that... 'Development boundaries have been drawn for the Main Towns, Severnside Settlements and Rural Secondary Settlements identified in Policy S1, within which new build residential development / redevelopment or conversion to residential, or subdivision of large dwellings or reuse of accommodation such as upper vacant floors in town centres will be permitted subject to detailed planning considerations and other policies of the LDP that seek to protect existing retail, employment and community uses'. The site is an allocated housing site within the current LDP and is within the Monmouth Town development boundary. Therefore, the principle of the development is established and is policy compliant with the current LDP.

### **6.2 Good Design/Landscape**

6.2.1 The application boundary has been extended to provide new drainage layout to the north of the site is a welcome addition to the scheme and removes the initial concerns relating to the provision of surface water capture close to some of the plots as well as the issue of a proposed outfall from site which is clarified in the engineering layout drawing 1804 100 rev M which indicates all surface water to fall to the west and south of the site with outfall from site via connection to existing culverts in the proximity of no1 Tudor road.

6.2.2 The site layout for some of the plots has been amended to provide more appropriate space between and existing residential boundaries, plot 49/50 in particular. The space has increased with offset retaining walls to retaining built platform, providing an opportunity for new landscaping and additional breathing space within the site.

6.2.3 From the general design perspective, the revised entrance from Tudor Road has improved from the previous version and separated the existing dwellings parking and access from that of the main access to the proposed site. The general layout is broadly acceptable but would require further details to ensure a high quality finish i.e. a full soft landscape planting plan and specification inclusive of establishment, protection and aftercare prescription will be required along with a comprehensive green infrastructure management plan. The applicant has provided plot dwelling site plans and elevations as well as proposed material palettes, streetscenes and height plans. This additional detail will be captured through conditions as proposed.



6.2.4 The scheme now features a broader mix of house material finish with both red brick and white renders as principal finishes with a broad mix through the overall site. The front elevations with brick and white render finish using light grey render to window and door surrounds to provide further contrast. This provides a betterment in place making terms. It is noted that each dwelling roof is indicated as having PV installed subject to design. The Council's Landscape and GI Officer wants to see further clarification in terms of roof location, profile and colour of the proposed PVs. It is proposed that this is addressed through a condition.

6.2.5 The area has a mix of housing types, including bungalows, two-storey detached houses, semi-detached houses, terraced houses and blocks of flats. The bulk of the proposed units is similar to some of the existing surrounding properties. The development's density reflects the scale and density of the surrounding built environment, promoting efficient land use. The scheme primarily comprises 2-storey houses and walk up apartments along with a number of bungalows.

6.2.6 The proposed boundary enclosures will incorporate a mix of close boarded fencing (1.8m high), brick walls (1.8m high), close boarded fence on retaining brick walls (various heights) and vertical metal railings (1.2m high). Given the prominence of the landscape feature fronting Plots 26-36, the use of brick walls along this boundary is considered more aesthetically pleasing than the mixture of close boarded fencing and close boarded fence on retaining brick walls. To ensure this, a planning condition will be imposed to specify the use of brick walls for the boundary enclosures along this particular landscape feature.

6.2.7 The GI strategy is welcome however there is currently insufficient information from a Landscape and GI perspective such as landscape masterplan or more detailed landscape planting plan which reflect LVA and ecology surveys and recommendations. A Landscape / GI management plan for the site will be required to ensure establishment and ongoing management capable of being rolled over annually. This is proposed to be required as a condition of approval should the application progress. Upon reviewing of the updated information the Council's Landscape Officer offers no further objection to the application proposal from a Landscape and GI perspective subject to the provision of robust conditions and the provision of a GI bond (£1500 to contribute to improvements to the local PROW network within a one-mile radius of the site, including GI improvements associated with improved PROW).

6.2.8 Given the above, it is considered that the overall design of the proposed development and the choice of external finishing materials are acceptable. Therefore, the proposal is in accordance with Policy DES1 of the LDP.

### **6.3 Historic Environment**

6.3.1 The site is not located within a conservation area and does not impact any listed buildings. While no formal objection is raised, the development's scale and location within an area of archaeological potential necessitate mitigation measures. To minimize the impact on archaeological resources, we recommend the inclusion of a planning condition requiring an archaeological watching brief during groundworks. This condition should ensure the appropriate engagement of an archaeologist to monitor groundworks and identify and record any archaeological finds.

6.3.2 Cadw, the Welsh Government's historic environment service, was consulted on this matter but did not provide a response. However, it's important to note that the site is designated for housing development within the Local Development Plan (LDP). This designation implies that the site's suitability for housing development was thoroughly assessed, including potential archaeological considerations, during the LDP formulation process.

### **6.4 Impact on Amenity**

6.4.1 The proposed development will undoubtedly alter the visual outlook from neighbouring properties. While some objections have been received from residents opposed to any development on the site, it's crucial to remember that the site is designated for housing within the

adopted Local Development Plan (LDP). This allocation signifies that the principle of residential development on this land has already been established through the rigorous LDP process.

6.4.2 The proposed scheme has been carefully designed to mitigate potential neighbouring impacts. The site layout, unit orientations, and separation distances from neighbouring properties have been considered to minimise disruption to existing neighbours. The site level is higher than those of the neighbouring properties. A new landscaping scheme will be incorporated into the proposal. The majority of new planting will be strategically located along the site boundaries to enhance biodiversity and provide a visual buffer, thereby improving privacy for existing residents.

6.4.3 The separation distances have been closely examined against the adopted Infill Development SPG as some of the proposed units are closer to the existing neighbouring properties than others. As far as the effect of the new dwellings are concerned, the Council's normal privacy standard for new development is that there should be minimum of 21m between directly facing elevations containing main habitable windows (i.e. bedrooms and living rooms). In some cases, this distance may be relaxed i.e. where windows are facing a public highway. There should be at least 15m between principal elevations with main habitable windows and side gable walls, and there should a 10m distance from the first floor rear windows of the proposal to the side boundary of the neighbour.

6.4.5 Along the southern boundary, Plot 3, 4 and 5 are measured between 18m to 20m away from Hammett Court (a block of flats). There is currently a window opening on the first floor northern gable end of Hammett Court that serve a corridor/staircase. Therefore, no overlooking issue is anticipated in this situation. Plot 16 and 17 is approximately 30.5m from Rose Cottage in excess of the distances set out in the guidance. It is the intention of the developer to introduce a soft landscaping scheme along this site boundary to 'soften' the appearance, and to provide additional screening of the proposed units from the neighbouring properties. Turning to the units on the western boundary, the side elevation of Plot 44 is some 11.7m from the side elevation of 63 Tudor Road. Plot 45, 46 and 47 is appropriately 15m from the gable end of 43 Tudor Road. Plot 49 and 50 is measured some 10m from the rear boundary of 19 Tudor Road (25m from the actual property) and 12.9m from the side boundary of 31 Tudor Road. Therefore, the separation distances are in accordance with the adopted SPG.

6.4.6 In order to further protect the amenity of the existing neighbours, it is considered reasonable to remove the permitted development rights for extensions for some of the units along the southern and the western boundary as they are the closest to the neighbouring properties i.e. Plot 1 to 5 and 45 to 50.

6.4.7 In conclusion, while changes to views are inevitable with any new development, the proposed scheme has been designed with careful consideration for neighbouring amenity. The LDP allocation provides the necessary framework for residential development on this site, and the proposed mitigation measures aim to minimise any potential negative impacts on neighbouring properties. Therefore, the proposal complies with Policy EP1 of the LDP.

## **6.5 Phosphate/Biodiversity**

6.5.1 The application site is within the catchment of the River Wye Special Area of Conservation (SAC). This application for the development of 50 dwellings proposes connection of foul water to the mains sewer. Information has been provided by Dwr Cymru Welsh Water (DCWW) to confirm that permit for the associated wastewater treatment works has been reviewed against the revised water quality targets for the SAC. Therefore, there is unlikely to be a significant effect on the SAC if there is capacity in the system. There is no objection from DCWW and NRW to the proposed drainage method. Therefore, no further information is requested in relation to this element of the proposal.

6.5.2 The revised scheme incorporates revisions to address concerns raised by the biodiversity officer, landscape officer, and flood risk management team. While a larger buffer between the development and field boundaries would be preferable for optimal protection and maintenance of boundary features, the removal of the bund and other drainage features between the houses and

the northern boundary from the earlier version will mitigate some impacts. The extended development area (the land to the north of the site) will facilitate the provision of additional screening planting along the boundary to minimise visual intrusion to the open countryside and would provide natural buffer for commuting routes used by bats. The inclusion of this additional parcel of land will also improve access for maintenance of the northern boundary. However, access for maintenance of other site boundaries, which are proposed to be planted with new hedging or supplementary trees, will remain challenging. A long-term management plan will be required to address these access limitations which is proposed to be secured via a condition.

6.5.3 The site lies within the 3km Core Sustainance Zone for greater horseshoe bats at Newton Court SSSI and the 2km Core Sustainance Zone for lesser horseshoe bats at Penallt Church SSSI. Furthermore, it is located less than 500m from a woodland protected by the Wye Valley Woodlands SAC. Given the site's proximity to protected areas and its demonstrated use by greater and lesser horseshoe bats, likely linked to roosts within the Wye Valley and Forest of Dean Bat Sites SAC and the Wye Valley Woodlands SAC, a Habitat Regulations Assessment (HRA) under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) has been undertaken. The HRA concludes that the project will not adversely affect the integrity of the protected sites, provided the following mitigation measures are implemented, such as a landscaping scheme, a Green Infrastructure Management Plan, a bat-friendly lighting strategy and the removal of Permitted Development Rights relating to new external lighting and boundary treatments to protect the integrity of retained field boundaries. These mitigation measures must be secured through appropriately worded planning conditions and subsequently enforced and monitored. It is important to note that this assessment applies equally to the interest features of the relevant SSSIs. The Appropriate Assessment (appended to this report) has been submitted to NRW for final endorsement. Therefore, provided that no issue is identified by NRW, the application should be supported.

6.5.4 In terms of biodiversity net gain enhancement, the proposal includes additional planting, proposed artificial nesting opportunities and management of retained grassland areas to provide net benefit for biodiversity. There is also scope to include appropriate planting in rain gardens and suds features; a plan of ecological enhancements should be included in the Green Infrastructure Management Plan to demonstrate how net benefit will be achieved. To ensure establishment and longevity of features provided for net benefit for biodiversity, a long-term management plan will be required that identifies the features to be managed, trends and constraints to management and provides a maintenance schedule capable of being rolled forward for the life time of the development. The long-term management should be detailed in a Green Infrastructure Management Plan (or Landscape and Ecology Management Plan)

6.5.5 The Council's Biodiversity and Ecology Officer highlighted that badger foraging activity has been recorded on site, and the site may also support other small mammals, including hedgehogs. Nesting birds are present, and the presence of reptiles is considered likely. Some trees identified for removal have low potential for bat roosts. The submitted ecological appraisal includes appropriate recommendations for safeguarding protected species during construction and advised that these recommendations should be incorporated into a standalone Construction Environment Management Plan (CEMP) secured through a planning condition. Appropriate compensation measures for affected species should be identified and detailed within the Green Infrastructure Management Plan.

6.5.6 Given the above, there is no objection to this element, and appropriately worded conditions are proposed in line with the officers requirements to manage the biodiversity and ecological matters of the proposal. The proposal is in accordance with Policy NE1 of the LDP.

## **6.6 Highways/Parking**

6.6.1 PPW12 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 development boundary of Monmouth, where there is a comprehensive range of retail and service facilities. Tudor Road is an allocated urban site for housing development as defined within the adopted LDP. Monmouth Town Centre is reachable by

public transport, and for those who choose to walk and/or cycle. There is a bus stop in the town centre with services connecting to other parts of the county and neighbouring towns. The site is in a 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 The Council's Highways Department raise no objection to the latest revised scheme. They advised that the site remains part of the LDP housing site and is supported by a Traffic Assessment showing that the local highway network is capable of absorbing the impact in terms of volume and safety as noted in our earlier comments.

6.6.3 In terms of the main access of the site, the latest scheme incorporates design amendments to address previous access concerns. The site now features an independent access to the development and a redevelopment of the existing spur to serve the existing properties off the current access point (7, 9, 11, 13, 15, 17 and 19 Tudor Road). This amended design overcomes the initial concerns regarding the placement of the remaining private parking bay and the related footway widths. It is noted that the existing access is to be upgraded with footway provision and therefore will create both a speed awareness strip, and separate the spur road by way of design from the main road. The new access for the development is to be supported by 2m footways on both sides with additional crossing infrastructure to support pedestrians. The displaced parking provision has been relocated to the new access area. Therefore, there is no objection to this element.

6.6.4 As for the proposed internal layout, the footways have been appropriately increased in width where there is development along both sides in line with the required standards. In particular, Road 3 has been amended to address the initial concerns which is now 5.5m in width and features a service strip between the private parking elements and the carriageway/shared surface so as to delineate the edge of the public highway. Road 1 features suitable levels of horizontal deflection and material changes to encourage slower travel speeds, as per design standards. However, they would recommend the introduction of a method of delineation between the carriageway and parking bays of number 15-19, such as a marginal strip. These details should be further considered during the Section 278 application process, which allows developers to enter into a legal agreement with the council for highway alterations or improvements.

6.6.5 The Council's Highways Department advised that all properties now have appropriate levels of parking provision and there is suitable space within the design for on-street parking of visitors. All parking bays are located in suitable locations and appropriately designed.

6.6.6 Further discussion took place with the Council's Highways Department with regard to the concerns/objections raised by the Council's Active Travel Department. The Council's Highways Department advised that the review of the accident data available for the highway network providing access to the proposed development has not identified any particular highway safety issues and no off-site highway mitigation to facilitate the development.

6.6.7 It is acknowledged that there would be an increase in overall vehicle movements from the proposed development but it is considered that the existing junctions and local highway network will continue to operate within capacity and the traffic impact would be negligible and would not be detrimental to the overall safety and capacity on the local highway network. In addition, Tudor Road is a 'no through' road. Therefore, the movement of traffic beyond the site is likely to be similar to the current situation. Furthermore, the proposed access is in accordance with current design standards for estate access roads. Therefore, from the highway safety perspective, the latest access arrangement, internal layout and road/parking arrangements are acceptable and are safe for both crossing pedestrians and car users.

6.6.8 The detailed design of the highway, including the details of the drop kerbs and tactile locations, would be considered and assessed separately under the Section 278 application.

6.6.9 There is no highway concern over the use of communal bike hangers for the storage of personal bicycles, as long as they do not adversely affect the safety operation of the highway network. This aspect was further explored with the developer. They considered that the proposed

garden sheds would provide effective security and control/management for storing personal belongings, which is compliance with the WDQR. Therefore, from the security point of view, they wish to maintain the scheme as it is. The concept of communal bike hangers is considered positive, as it could potentially increase bicycle usage by enhancing accessibility. However, from a planning perspective, their inclusion is not mandatory. Therefore, there is no substantive reason to refuse this application based on this element.

6.6.10 Given the above, the proposal is acceptable (with conditions) and is in accordance with Policy MV1 of the LDP.

## **6.7 Affordable Housing**

6.7.1 A stable and thriving community depends on a diverse housing market. This 100% affordable housing scheme would assist a range of people, including those on lower incomes, have access to quality and affordable housing within the community, contributing to a more balanced and sustainable community. Affordable housing enables key workers, such as teachers, nurses, and emergency service personnel, to live and work within the community they serve. This helps to maintain essential services and strengthens the local workforce.

6.7.2 The Council's Affordable Housing Officer advised that there is a high need for affordable housing throughout Monmouthshire, there are currently 2,097 households with a recognised housing need registered on Monmouthshire's Common Housing Register. Of these, 304 would prefer to live in the Monmouth/Wyesham area. The need for one and two bedroom accommodation is a particularly high. There is also a need for accessible accommodation i.e. bungalows. In addition, based on the size of this development, a mix of tenures would be required, it can be assumed that 70% will be provided as social rent and 30% as intermediate housing.

6.7.3 Monmouth, like many communities, face significant housing shortages. A 100% affordable housing scheme would alleviate this issue by providing much-needed homes for local residents who may be struggling to find suitable and affordable accommodation within the area. This application features a range of housing mix to cater for the housing need for the Monmouth area, and they are all designed to comply with the Welsh Development Quality Requirements (WDQR), which are a set of minimum quality standards for new and rehabilitated general needs affordable homes in Wales. It is considered that this 100 affordable housing scheme is a positive step to provide much needed housing shortage in the area. Therefore, this application is supported accordingly. Ensure that the units remain affordable, it is crucial to secure it through an Unilateral Undertaking or Section 106 Agreement. Therefore, this element is in compliance with Policy S4 of the LDP.

## **6.8 Flooding**

6.8.1 NRW raises no flood issue. Therefore, no further information is requested.

## **6.9 Foul Drainage**

6.9.1 The site is within the nutrient sensitive catchment for the River Wye SAC. The proposal will connect to the Wyesham Wastewater Treatment Works. NRW Guidance V4 states that where developments connect to a WwTW which has a permit reviewed against revised conservation objectives. It is intended to drain foul water to the public sewer to which Welsh Water offer no objection in principle. Therefore, there is unlikely to be a significant effect on the SAC so there is capacity in the system. They requested that a condition to be imposed to prevent surface water and/or land drainage to connect directly or indirectly with the public sewerage network. This condition request is reasonable.

## **6.10 Surface Water Drainage**

6.10.1. The surface water will be disposed of via sustainable means which is the correct policy approach. However, there is a concern over the excessive surface water downstreaming from the land to the north of the site. It is noted that as part of the latest submission, a new surface

drainage scheme is being included to the north of the site to capture surface water coming from the fields to the north of the site. It is specifically designed to alleviate the excessive surface water flooding situation. The developer has submitted a separate pre-application enquiry for SAB, which is running in conjunction with this planning application, so that the finer details for the surface water drainage scheme are assessed by the Council's Drainage Officers for adoption. In addition, appropriately worded conditions will be imposed to ensure an effective scheme is in place prior to the commencement of the development.

### **6.11 Surface Water Drainage - Off-site financial contribution**

6.11.2 The Council's Community Infrastructures highlighted that there is considerable surface water run-off from the fields north of the site towards Tudor Road and the nearby playing field. A possible solution is to install a deep cut French drain with a perforated pipe along the top length of the playing field and run this down to the side of the playing field so the water discharges in the same place as the Welsh Water drain. Therefore, an off-site financial contribution would improve the situation considerably. The developer has agreed to provide a financial contribution to facilitate such work to improve the situation for the local residents.

### **6.12 Environmental Health**

6.12.1 The Council's Environmental Health Department advised that the applicant therefore must demonstrate that good design principles will be followed to ensure impact from the noise of the ASHPs will be kept to a minimum. Ideally, this should not exceed 35dB at any noise sensitive façade of neighbouring residential premises. If it can be demonstrated that it is not practical to achieve this value of 35 dB, and the local context supports a relaxation (Taking account of the character of the area, including the prevailing sound level which may influence the extent of the impact caused), then a higher criterion may be suitable. Under those circumstances it is recommended that the reasons for the relaxation are fully set out and justified. Nevertheless, it is recommended that the sound rating level should not exceed 40dB.

The officer had requested that absolute rating levels for the ASHP are provided to ensure that the proposed ASHPs shall comply with the MCS Planning Standards or equivalent standards. The MCS Planning Standards (MCS 020) are a set of guidelines specifically for permitted development installations of wind turbines and air source heat pumps on domestic premises. Given the stage of the process, the technical details of the manufacturers are unknown, however in order to ensure that the development complies with the MCS Standards it is recommended that an appropriately worded condition will be imposed to manage this aspect, ensuring that all ASHPs are compliance with the MCS Planning Standards or equivalent standards at the point of installation.

6.12.2 An air quality impact assessment would be required if the development altered the Annual Average Daily Traffic movements by 500 or more. However the officer has reviewed the submitted information and the AADT is below this threshold. Therefore, no further information is requested.

6.12.3 Contaminated land conditions are also requested to ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed, which is a reasonable request. Such conditions will be imposed accordingly.

### **6.13 Renewable Energy**

6.13.1 The Council is committed to reducing the demand for and hence use of energy in new developments. The use of renewable energy technologies should be explored as part of development proposals, which would allow for certain amounts of energy supply to be provided for the site from renewable sources. All of the properties will have air Source Heat Pumps installed each and solar panels are being proposed to comply with Policy SD1 of the LDP.

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

6.14.1 There are objections from local residents that the site is a wrong area for housing as it is not within a sustainable location for further housing development because there isn't sufficient employment and services within close proximity of the site, and that it is unreasonable to expect new residents to commute to work by walking or cycling.

LPA response: The site is located within the Monmouth Town Development Boundary. Monmouth is a main town as defined within the adopted LDP, which is one of the most sustainable settlements in the county. Policy S1 of the LDP advise that the main focus for new housing development is within or adjoining the Main Towns of Abergavenny, Chepstow and Monmouth. In addition, the development site is an allocated site for residential development within the LDP. Therefore, the principle for residential development had already been established at the LDP process; this application is the product of such process. Public transport is available to connect Wyesham and Monmouth Town Centre and the wider parts of the county. There is a range of shop, public services in town the area to serve an increased population. There is a bus station in Monmouth Town Centre that provide services to other nearby towns and cities. There is a range of employment available within Monmouth, such as jobs in and around town centre and the Wonastow Industrial Estate.

6.14.2 There are third party concerns that the proposal will adversely affect the wildlife habitat on and surrounding the site.

LPA response: This aspect was fully assessed by NRW and the Council's Biodiversity and Ecology Officer. A (Habitable Regulations Assessment) HRA was carried out. The HRA concludes that the project will not adversely affect the integrity of the protected sites, provided the following mitigation measures are implemented, such as a landscaping scheme, a Green Infrastructure Management Plan, a bat-friendly lighting strategy and the removal of Permitted Development Right relating to new external lighting and boundary treatments to protect the integrity of retained field boundaries. These mitigation measures must be secured through appropriately worded planning conditions and subsequently enforced and monitored. It is important to note that this assessment applies equally to the interest features of the relevant SSSIs.

6.14.3 Some of the local residents are concerned that the proposal lacks landscaping information and is an encroachment into the open countryside, which is a greenbelt land and is an ANOB.

LPA response: The site is not in the open countryside nor is an AONB; it is within the Monmouth Town Development Boundary and is adjoining to the open countryside, which is within the AONB. Monmouth is a main town as defined within the adopted LDP, which is one of the most sustainable settlements in the county. Policy S1 of the LDP advise that the main focus for new housing development is within or adjoining the Main Towns of Abergavenny, Chepstow and Monmouth. In addition, the development site is an allocated site for residential development within the LDP. This application was considered by the Council's Landscape and GI Officer and was concluded that, subject to conditions, the proposal is acceptable from the Landscape and Green Infrastructure perspective.

6.14.4 The Monmouth Town Council along with some local residents are concerned that additional residential development on the site will exacerbate the flooding situation in this part of Wyesham i.e. due to excessive water run-off from the Kymin. It is noted that the proposal comprises an on-site drainage scheme. However, it is not clear how the water run-off from the Kymin will be dealt with to prevent flooding issues.

LPA response: It is acknowledged that there are recent incidents when there is a heavy rainfall, the area below the site do experience excessive surface water downstreaming from the land to the north of the site. As part of the latest submission, a new surface drainage scheme is being included to the north of the site to capture surface water coming from the fields to the north of the site. This scheme is specifically designed to alleviate the excessive surface water flooding situation. The developer has submitted a separate pre-application enquiry for SAB, which is running in conjunction with this planning application, so that the finer details for the surface water drainage scheme are assessed by the Council's Drainage Officers for adoption. The concept of the proposed drainage scheme is to channel surface water to the SuDS features within the site and to the Welsh Water network. There is no objection from NRW and Welsh Water regarding to the proposed surface water and foul drainage arrangement. As well as a SAB application, the

developer needs to enter a further application with Welsh Water, ensuring the scheme is acceptable prior to connection.

6.14.5 The highway impact is one of the key concerns for local residents as they considered that the existing highway network is not capable to cope with additional housing (and adding further pressure on Wye Bridge). So, the proposal will likely to cause further congestion problem for them. In addition, they are concerned that there is insufficient parking provision proposed to serve the development.

LPA response: The Council's Highways Department raise no objection to the latest revised scheme. They advised that the site remains part of the LDP housing site and is supported by a Traffic Assessment showing that the local highway network is capable of absorbing the impact in terms of volume and safety as noted in our earlier comments. The internal layout was assessed and there is sufficient parking provision to serve the development, including visitors. Therefore, it is acceptable from the Highways perspective.

6.14.6 Some local residents have environmental (noise and air pollution) concerns of the proposal due to a significant increase in volume of all types of vehicle causing excessive congestion.

LPA response: No environmental objection is raised from NRW, the Council's Environmental Health Department and Highways Department. The Council's Environmental Health Department want to see good design principles followed to ensure impact from the noise of the ASHPs will be kept to a minimum, and this element can be managed via appropriately worded condition. An air quality impact assessment would be required if the development altered the Annual Average Daily Traffic movements by 500 or more. Having reviewed the submitted information, the AADT is below this threshold. Therefore, no further information is requested. In addition, further land contamination conditions will be imposed to ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

6.14.7 Some local residents questioned whether or not there is an actual need for more housing in the area, and that the scheme being proposed is of a low-quality housing scheme that will not meet the needs of the community.

LPA response: Both the Council's Housing Officer (Affordable Housing) and Monmouthshire Housing Association have confirmed there is a demand for affordable housing in the area, and these units are designed to comply with the WDQR, which are a set of minimum quality standards for new and rehabilitated general needs affordable homes in Wales.

6.14.8 This is an overdevelopment of this site.

LPA response: The scale of the development is informed by the surrounding residential context and the density of the development has referenced the scale and density of the surrounding built environment. This application is designed to represent an efficient use of land, which is promoted in the LDP as the as the National policies (PPW12 and Future Wales).

## **7.0 RECOMMENDATION: APPROVE**

Subject to a S106 requiring the following:

- To ensure that all resulting residential units remain as Affordable Housing Units.
- £1500 to contribute to improvements to the local PROW network within a one-mile radius of the site, including GI improvements associated with improved PROW.
- Off site drainage scheme at nearby playing fields.
- No development shall commence until the applicant has entered into a Section 278 agreement, pursuant to the Highways Act 1980 with the Council for the works associated with the re-engineering of the existing access onto Tudor Road including footways and footway pedestrian crossings.

## **5 YEARS**

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



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

### **APPROVED PLANS**

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

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

### **HISTORIC ENV MITIGATION**

3 No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

REASON: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological.

### **STREET PHASING**

4 No development shall commence until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed.

REASON: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highway's infrastructure serving the development and to safeguard the visual amenities of the locality and users of the highway.

### **MAINT OF STREETS**

5 No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. [The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established].

REASON: To ensure that the estate streets serving the development are completed and thereafter managed and maintained to an acceptable standard in the interest of residential / highway safety.

### **BOUNDARY TREATMENTS**

6 Notwithstanding there hereby approved Proposed Enclosures Layout ref: 103 Rev E, Prior to the erection of any means of enclosures on site, Plots 26-36 shall have a brick faced boundary walls. Full details of the walls shall be submitted to and approved in writing. The development shall be carried out in accordance with the approved details and remain as such in perpetuity. Full details of the proposed finish to the remaining close boarded fence shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of visual amenity and in compliance with LDP Policy DES1

### **ASHP**

7 Notwithstanding the plans hereby approved all air source heat pumps shall comply with the MCS Planning Standards or equivalent standards.

REASON: To satisfactorily protect the residential amenities of occupiers of the hereby approved development and the nearby occupiers. To comply with Policy EP1 of the LDP.

### **CTMP**

8 Prior to the commencement of development, to include demolition, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, air quality\*, vibration, dust\*\* and waste disposal resulting from the site preparation, groundwork and construction phases of the development and manage Heavy Goods Vehicle (HGV) access to the site. Measures to minimise the impact on air quality should include HGV routes avoiding Air Quality Management Areas and avoid vehicle idling. The approved Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

\* The Institute of Air Quality Management

\*\* The applicant should have regard to BRE guide 'Control of Dust from Construction and Demolition, February 2003

REASON: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

### **CEMP**

9 No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- o Construction methods: details of materials, how waste generated will be managed.
- o General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, mixing and washing areas) and any watercourse or surface drain.
- o Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
- o Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use.
- o Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- o Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details

The CEMP shall be implemented as approved during the site preparation and construction phases of the development. The approved CEMP shall be adhered to and implemented throughout the site preparation and construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction. To safeguard habitats and species protected under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), and Environment (Wales) Act 2016.

### **LANDSCAPING DETAILS**

10 Prior to the commencement of development works full and comprehensive details of soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- o Detailed scaled plans, showing existing and proposed levels inclusive of proposed cross section.
- o Proposed and existing utilities/services above and below ground.
- o Soft landscape details for landscaping to include planting plans, specifications including species, size, density, number and location, cultivation and other operations associated with planting and seeding establishment, inclusive of SUDS green engineering and rainwater gardens.
- o Hard landscape materials to include surfacing, SUDs, location of proposed lighting, fencing, gates, minor artefacts and structures (e.g. signs, bins, stores).
- o Lighting strategy

REASON: In the interests of visual and landscape amenity; in accordance with Policies DES1 & LC1/5 of the Local Development Plan. And to safeguard foraging and commuting routes used by species protected by Conservation of Habitats and Species Regulations 2017.

### **LANDSCAPE MAINT**

11 A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority prior to works commencing and shall include details of the arrangements for its implementation inclusive of roles and responsibilities. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features.

### **LANDSCAPING COMPLIANCE**

12. 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.

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 in accordance with policies LC5, DES 1, S13, and GI 1 and NE1 of the LDP.

### **GI MANAGEMENT PLAN**

13 An appropriately scaled Green Infrastructure Management Plan shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of development works. The content of the Management Plan as a standalone document 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 including woodland, hedge and copse
  - b. Green corridors including those within the site
  - c. Grassland areas including mown grass, wildflower areas and understorey interfaces
  - d. Water bodies to include swales and rain gardens
- b) Opportunities for enhancement to be incorporated
  - a. Management of treed and planted boundaries for GI and biodiversity including interfaces with GI corridors connection the wider landscape
  - b. Maintain habitat connectivity through the site for species
  - c. Assessment of any ash die back, opportunities for replacement planting and a programme for implementation
- 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,. (Legislative background – Well Being of Future Generations Act 2015, Planning (Wales) Act 2015 Environment (Wales) Act 2016)

### **LIGHTING BIODIVERSITY**

14 Prior to the commencement of the development, a "lighting design strategy for biodiversity" for the development shall be submitted to and approved in writing by the local planning authority. The strategy shall at minimum:

- a) Identify areas/features on site that are sensitive for bats and must remain unlit
- b) Provide details of lighting type, position and specification, including use of cowls and appropriate light wave lengths, including light spillage in sensitive areas
- c) Provide drawings showing lux levels on horizontal and vertical planes, demonstrating that dark corridors will be retained.
- d) include details of lighting to be used both during construction and operation. The lighting shall be installed and retained as approved during construction and operation.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. 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 other than approved under this permission shall be installed within the curtilage of the development without prior written approval of the Local Planning Authority.

REASON: To safeguard foraging and commuting routes used by light sensitive species in accordance with Environment (Wales) Act 2016 and Conservation of Habitats and Species Regulations 2017.

### **PD RIGHTS BOUNDARY ENCLOSURES**

15 Notwithstanding the provisions of Article 3, Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development)(Amendment)(Wales) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no gate, fence, wall or other means of enclosure other than any approved under this permission shall be erected or placed without the prior written approval of the Local Planning Authority.

REASON: To safeguard commuting and foraging routes in accordance with Conservation of Habitats and Species Regulations 2017.

### **LEMP**

16 No development shall commence until a Landscape Ecological Management Plan (LEMP) for the provision, management and maintenance of the landscape and ecological features at the site has been submitted to and approved by the Local Planning Authority. The LEMP should include:

- o Details of habitats, landscape, environmental and ecological features present or to be created at the site.
- o Details of the desired conditions of features (present and to be created) at the site.
- o Details of scheduling and timings of activities.
- o Details of short and long-term management, monitoring and maintenance of new and existing landscape, environmental and ecological features at the site to deliver and maintain the desired condition.
- o Details of monitoring of landscape and ecological features.
- o Details of replacement measures should any landscape or environmental features die, be removed or become seriously damaged or diseased within years of completion of development.

- o Details of management and maintenance responsibilities.
- o Details of timescales, length of plan, the method to review and update plans (informed by monitoring) at specific intervals as agreed The LEMP shall be carried out in accordance with the approved details.

REASON: A LEMP should be submitted to ensure necessary landscape and environmental management measures are agreed prior to commencement and implemented to ensure the site's landscape and environmental features are adequately managed long term for protected species.

### **SURFACE WATER AGREEMENT**

17 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network unless otherwise agreed in writing by the Local Planning Authority

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.

### **SITE INVESTIGATION POST DEMOLITION**

18 No part of the development hereby permitted shall commence until:

- a) An appropriate intrusive site investigation shall be undertaken following demolition of buildings for areas of the site unable to be originally assessed due to lack of access.
- b) A Site Investigation Report to BS 10175:2011+A2:2017 (Investigation of potentially contaminated sites. Code of practice), containing the results of any intrusive investigation, shall be submitted, and approved in writing by the Local Planning Authority.
- c) Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, a Remediation Strategy, including Method statement and full Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority.

No part of the development hereby permitted shall be occupied until:

- d) Following remediation, a Completion/Validation Report, confirming the remediation has been carried out in accordance with the approved details, shall be submitted to, and approved in writing by, the Local Planning Authority.
- e) Any additional or unforeseen contamination encountered during the development shall be notified to the Local Planning Authority as soon as is practicable. Suitable revision of the remediation strategy shall be submitted to and approved in writing by the Local Planning Authority and the revised strategy shall be fully implemented prior to further works continuing.

REASON: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

### **IMPORTED SOIL**

19 Prior to import to site, soil material or aggregate used as clean fill or capping material, shall be chemically tested to demonstrate that it meets the relevant screening requirements for the proposed end use. This information shall be submitted to and approved in writing by the Local Authority (prior to importing materials on site?). No other fill material shall be imported onto the site.

REASON: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

### **PV DETAILS**

20 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority the details of the proposed solar PV, which shall include the location, profile, design and colour. The development shall be carried out in accordance with the approved details and they shall remain as such in perpetuity.

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

### **FLOOD ALLEVIATION DETAILS**

21. No site clearance or construction work shall commence until the detailed design of flood alleviation measures to protect the site has been submitted to and approved in writing by the Local Planning Authority. The flood alleviation measures must protect the development from surface water flows from higher land to the north-east. The flood alleviation measures must not place other dwellings and infrastructure at increased flood risk. The detailed design of the flood alleviation measure shall include the following:

- a) Detailed cross sections, long section and plan drawings showing the construction details for the cut off ditch feature including planting specifications, materials used, erosion protection measures and maintenance plan.
- b) Details of the consequences of blockage/failure at the outfall from the cut off ditch. These consequences must not include internal flooding of dwellings on or off the site.

If it is proposed that surface water will leave the site into a different system than the system already specified, **or if** those flows are to leave the site at an increased rate or volume, the applicant must undertake a detailed investigation of the downstream system (from site to River Wye) including CCTV survey and possibly intrusive survey. Following this investigation flow modelling must be used to confirm that properties and infrastructure are not placed at increased flood risk by the development.

The development shall be carried out in accordance with the approved details and retained as such in perpetuity.

REASON: To protect the development from known surface water flows.

### **TREE SURVEY**

22 Prior to works commencing an updated comprehensive tree survey to BS 5837:2012 (Trees in relation to design, demolition and construction to provide further guidance on tree protection) will be required to include:-

- A Tree Retention/Removal Plan
- Plan of retained trees and their root protection areas (RPAs) shown on the proposed layout.
- An Arboricultural Impact Assessment.
- An Arboricultural Method Statement where construction activity within the RPA of any retained tree is unavoidable.
- The appointment of an Arboricultural Clerk of Works to maintain a watching brief on trees at the site for the duration of the development.

Reason: In the interests of visual and landscape amenity; in accordance with Policies DES1 & LC1/5, NE1 of the Local Development Plan

### **DETAILS OF EARTHWORKS / MOUNDING / CONTOURING**

23 Before any works commence on site, details of earthworks shall be submitted to and approved by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform.

Reason: To ensure the provision afforded by appropriate landscape design and Green Infrastructure LC5, DES 1 S13, and GI 1 and NE1

### **INFORMATIVES**

1 Heneb Glamorgan Gwent Archaeology Advisory:

The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), CIfA regulations, standards and guidance/Chartered Institute for Archaeologists and it is recommended that it is carried out either by a CIfA Registered Organisation or a Heneb yw'r enw MCIfA level accredited Member.

If you have any questions or require further advice on this matter please do not hesitate to contact us.

2 Please note that Bats are protected under The Conservation of Habitats and Species (Amendment) Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately. Natural Resources Wales (NRW) (0300 065 3000).

3 All birds are protected by the Wildlife and Countryside Act 1981. The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most birds is between March and September.

4 NRW Informative:

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

5 DCWW Advisory Notes:

The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com).

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption.

In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Monmouthshire County Council as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features.

Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at [developer.services@dwrwymru.com](mailto:developer.services@dwrwymru.com)

Please quote our reference number in all communications and correspondence.

6 NESTING BIRDS - Please note that all birds are protected by the Wildlife and Countryside Act 1981 (as amended). The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most bird species is between March and September.

BS 5837:2012 Trees in relation to design, demolition and construction to provide further guidance on tree protection Policy NE1 - Nature Conservation and Development seeks to ensure the protection and enhancement of wildlife and landscape resources by appropriate building design, site layouts, landscaping techniques and choice of plant species.

Planning Policy Wales - Net Benefit for Biodiversity Planning Policy Wales (PPW) 12 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". This policy and subsequent policies in Chapter 6 of PPW 12 respond to the Section 6 Duty of the Environment (Wales) Act 2016.