

**DC/2015/01431**

**DEMOLITION OF EXISTING INDUSTRIAL SHEDS AND THE ERECTION OF 60 NO. BEDROOM HOTEL, 6 NO. TWO BED SERVICED HOTEL APARTMENTS, 3,700 SQ.M DESTINATION SPA, ANCILLARY MIXED USE DEVELOPMENT (UP TO 3,000 SQ.M), ENERGY CENTRE, LANDSCAPING, CAR PARKING AND OTHER ANCILLARY DEVELOPMENT; ALSO RESERVED MATTERS FOR ACCESS APPROVAL**

**VALLEY ENTERPRISE PARK HADNOCK ROAD MONMOUTH, NP25 3NQ**

**RECOMMENDATION: REFUSE**

Case Officer: Craig O'Connor

Date Registered: 27/11/2016

## **1.0 APPLICATION DETAILS**

- 1.1 The site is located to the west of Monmouth town centre and forms part of Hadnock Road Industrial Estate. The site is approximately 5ha in area and accommodates four large industrial sheds and associated hardstanding areas. The existing use of the site is for general industry (Use Class B2) however the site has been vacant for over eight years. The vehicular access to the site is off Hadnock Road which connects to the A4136 which is to the south of the site. The site is enclosed by the River Wye to the west and there are a mix of different uses in the surrounding sites including residential, industrial, offices and educational uses. The site lies within the Monmouth development boundary and is allocated as a Protected Employment Site under Policy SAE2 of the Local Development Plan (LDP). The site lies entirely within Flood Zone C2 (undefended flood plain). It is adjacent to the AONB.
- 1.2 The proposal is for demolition of the existing industrial buildings and the construction a new 60 bedroom hotel, six serviced hotel apartments (each containing two beds), a spa, ancillary mixed use development, an energy centre, landscaping, car parking and other associated works. This application seeks outline consent for the principle of the proposed development with the access and the scale of development being considered at this stage. The appearance, landscaping and layout would all be reserved matters for consideration at a later date if this outline application were to be approved. The proposed spa facility would provide spa pools, fitness studios, relaxation rooms, clinic and treatment rooms and associated spa retail. The mixed use building would accommodate ancillary uses that would function in association with the spa and would include uses such as a cookery school, wellness clinic and associated hairdressers. The applicants have outlined that the uses within this building could be conditioned. The proposed serviced apartments would be utilised for holiday purposes only and would not be permanent residential properties. This too could be controlled by condition.
- 1.3 The proposed plans outline that there would be two main access points to the site directly off Hadnock Road. The submitted layout plans outline that the

proposed energy centre would be sited in the northern part of the site, the hotel and spa would be located in a central location and the ancillary mixed use building and hotel apartments would be sited to the south. The plans also outline the general proposal for landscaping of the site and associated car parking and overspill car parking areas which could accommodate 280 cars. The hotel and spa would generally be two storeys in height and there would be a maximum ridge height of 15m with the minimum finished floor level being 20.15m AOD. The proposed mixed use building and serviced apartments would have a maximum ridge height of 17m and minimum finished floor level measuring 20.15m AOD. The mixed use building would be three storeys high and the serviced apartments would be two storeys. The applicant was requested to submit streetscene plans to illustrate the proposed appearance of the buildings and on these plans the ridge is shown as approximately 12.5m high. The exact scale of the building would be determined by the overall design and appearance of the development which would be a reserved matter. The application also includes the construction of an energy centre that would accommodate a combined heat and power (CHP) generator. The proposed building would measure approximately 300sq metres and it would be between 7 and 10 metres in height, with a finished floor level of 21.05m AOD. The plant would also include a flue the height of which would depend on further assessment, although at the most the flue would be 21m high (11m higher than the building) with a diameter of 840mm. Details of how the CHP plant generates energy has been submitted within the application. The CHP plant would service the hotel and spa's heat, steam and water requirements, as well as generating electricity for the site. It could provide up to 4MW of electrical power with excess power being fed into the local grid connection.

## **2.0 RELEVANT PLANNING HISTORY**

DC/2014/00676 Partial change of use from B2 to sui generis and the associated equipment for standby, top up or reserve energy generation. Previous application DC/2012/00052 - Withdrawn April 2014

DC/2012/00052 Application for partial change of use from B2 to Sui Generis and the associated equipment for standby top up or reserve generation - Withdrawn April 2014

DC/2011/00142 Use of site for biomass recycling centre - Approved April 2011

DC/2010/00658 Change of use of an existing factory/warehouse building and the addition of an exhaust vent stack to accommodate a renewable energy generation facility - Refused February 2012

DC/2007/00613 Change of use - timber yard to cycle hire; placement of two storage containers - Permitted development February 2008

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

Strategic Policies

- S6 Retail Hierarchy
- S8 Enterprise and economy
- S11 Visitor Economy
- S12 Efficient Resource Use and Flood Risk
- S13 Landscape, Green Infrastructure and the Natural Environment
- S16 Transport
- S17 Place making and design

#### Development Management Policies

- EP1 Amenity and Environmental Protection
- DES1 General Design Considerations
- SAE2 Protected Employment Sites
- E1 Protection of existing Employment Land
- SD3 Flood risk
- G11 Green Infrastructure
- NE1 Nature Conservation and development
- LC4 Wye Valley Area of Outstanding Natural beauty
- LC5 Protection and enhancement of landscape character
- RET4 New retail proposals
- MV1 Proposed development and highways considerations
- MV2 Sustainable transport Access
- SD2 Sustainable construction and energy efficiency
- EP2 Protection of water sources and water environment
- SD4 Sustainable drainage
- EP5 Foul sewerage disposal

## **4.0 REPRESENTATIONS**

### **4.1 Consultations Replies**

Monmouth Town Council – recommends approval; the CHP plant should not be expanded / used in the future as a diesel or biomass generation plant.

Natural Resources Wales – the planning application proposes highly vulnerable development – a hotel - within Zone C2 of the Development Advice Map (DAM) contained in TAN15. Our Flood Map information, which is updated on a quarterly basis, confirms the site to be at risk from the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Wye. Our records also show that this site has previously flooded from the River Wye during the 1947 flood event. We refer you to Section 6 of TAN15 and the Chief Planning Officer letter from Welsh Government, dated 9th January 2014, which affirms that highly vulnerable development should not be permitted in Zone C2 (paragraph 6.2 of TAN15).

The addendum has confirmed that all proposed buildings on site will remain flood free in the predicted 1% (plus climate change) annual probability flood event. The predicted 1% (plus climate change) flood level is 19.47m AOD and the proposal intends to raise all the buildings to a minimum level of 20.15m

AOD. However this mitigation measure does not extend to the external areas of the site, including the car parking areas and internal access roads. Having considered the risks and consequences of flooding and the hazard ratings to the entire site, and specifically to the car parking and internal roads, it is our advice that flood risk cannot be acceptably managed.

NRW objects to the principle of the development and that it has not been demonstrated that the proposed development is in line with criteria set out in TAN15.

MCC Highways Officer - although we have concerns from a highway perspective particularly regarding the traffic impact and lack of sustainable travel provision, particularly pedestrian and cycling provision, we consider that due to the site's extant use we would be unable to substantiate an objection to the proposal on highway grounds subject to the suggested conditions. Through the trip rate comparison between the site's extant, allocated and proposed use it has been identified that the proposed development will have fewer two-way trips during the AM and PM peak periods. Through assessment of the data obtained on the existing traffic flows, junction capacity analyses and queue lengths on the existing highway network the transport statement concludes that the traffic generated by the proposal will have no detrimental impact on the existing traffic flows on the existing highway network. Despite the findings in the Transport Statement we as Highway Authority are still very mindful of the ongoing congestion experienced in this particular area and are unconvinced that the additional traffic generated by the proposed development will have no significant impact on the existing network. However, we are mindful that the application site has existing allocated B1 Business and B2 Industrial land uses and therefore we are unable to object to the application on the grounds that the proposed development will generate significantly less traffic than would be generated should the site be redeveloped under its existing allocated use.

MCC Biodiversity Officer – based on the current objective survey and assessment available, we have enough ecological information to make a lawful planning decision. It is worth noting that despite the perceived low ecological value of the site, it is very sensitive due to the presence of Protected Sites nearby and the presence of Protected Species on and adjacent to the site. There are no objections to the proposals subject to the proposed conditions and informative.

MCC Green Infrastructure Team – there are no objections to the proposals. A Green Infrastructure Strategy has been submitted to support the application in accordance with LDP policy GI1. The strategy sets key principals for taking forward the detailed design work at the Reserved Matters stage and reviews GI assets and opportunities including landscape and ecological links. The proposal has positively and comprehensively through the GI Strategy addressed landscape setting and quality of place through the provision of a high quality design both in terms of the built structure which has been sensitive in height, massing and scale to ensure the proposal is not intruding on the profile of the town or surrounding landscape and has also sought to incorporate quality materials in the structure. There will also be a significant increase in the amount

of green space incorporating new planting together with reinforcement of the existing woodland along the riverside which will supplement the overall Green Infrastructure provision of the site together with proposing long term management.

MCC Planning Policy Officer - the site is located within the Monmouth Town Development Boundary on a Protected Employment Site where Policy SAE2 of the Local Development Plan (LDP) applies (SAE2m). The criteria set out in Policy E1 relating to the Protection of Existing Employment Land must therefore be taken into consideration, which if satisfactorily addressed could enable a change of use to non-B uses. The marketing exercise and economic impact report submitted should be considered in order to determine whether the relevant criteria have been fully addressed. Strategic Policy S8 provides support in principle to the proposal subject to detailed planning considerations. The addition of over 100 full time equivalent jobs would be welcomed (the exact figure is not known, the planning statement refers to 120 and the economic statement to 167). The site is located within Zone C2 floodplain as shown by the latest Welsh Government TAN15 maps, Policy SD3 relating to Flood Risk therefore applies. It is considered that as the proposed development is a form of 'highly vulnerable development' it would be contrary to both Policy SD3 and national planning policy as set out in TAN15.

MCC Environmental Health Officer – No objections to the proposals subject to the suggested conditions and informative.

MCC Business Insight Manager – Valley Enterprise Park is the only industrial site in Monmouth that has significant spare capacity for B2 uses, given that there is very little other vacant property of this kind in and around the town. My starting position on this development has therefore been a desire to see the existing industrial premises retained on the site. We continue to receive enquiries from businesses seeking properties suitable for B2 uses, although they usually tend not to require large premises. I had contact with two of the businesses that showed an interest in this site in autumn 2014 and have no reason to doubt the level of interest indicated in page 12 of the marketing report. Furthermore, I am not aware of there having been any interest in the site as a whole since September 2011. However, I also have the following observations:

- Quite a number of the buildings on the site now appear to have been deleted from the business rates register or given a zero rateable value by the Valuation Office Agency
- Given the business rates status of these buildings it is hard to imagine that they would be considered commercially attractive by many businesses looking for alternative premises
- On the basis of the repair quotes provided in appendices 7-11 of this report it is also hard to see how the existing premises can be returned to an economically viable state
- It is also unlikely that the site would be redeveloped for B1/B2/B8 uses given the economic challenges associated with speculative developments of this kind and scale

Given all of the above, I suspect there is little prospect of the site being brought back into industrial use in the future and I therefore have no objection to this

proposal. Furthermore I would welcome the economic and employment benefits that the project would bring to the town.

MCC Tourism Officer – fully supports the proposals and outlines how the proposed development would address a specific lack of hotel accommodation in Monmouth and it would deliver more robust, less seasonal and less weather-dependent future tourism growth. The proposed development also has the potential to deliver wider benefits to the destination. Destination hotels like this can help put a town ‘on the map’ and draw new business. Whilst they could be seen initially as a threat to existing hotel and visitor accommodation providers, potentially eating into their market share, this could be positive, in terms of shaking up existing operators, making them re-evaluate their offer and pricing policies, and encouraging them to invest and to differentiate themselves to secure their corner of the market. In some cases new hotels can hasten the exit from the market of poor quality accommodation businesses, which could be good overall for Monmouthshire’s reputation and visitor satisfaction ratings.

MCC Emergency Planning Manager – Awaiting comments on the flood management plan which will be presented to the Committee as late correspondence. Flood Management Plan received in April 2016.

Welsh Government Transport – no objections to the proposals as the traffic generation would be significantly less than that likely to be generated by the extant planning permissions. There is no new access proposed directly onto the trunk road network.

Cadw – considers that the proposed development will have no impact on the designated historic assets outlined within their correspondence.

Dwr Cymru-Welsh Water – no objection to the positive determination of the application subject to the suggested conditions and informative outlining that a full drainage scheme should be submitted and approved prior to the commencement of development.

Gwent Wildlife Trust – issued a holding objection as there are concerns that there is insufficient information on the protected species issues and proposals for mitigation and habitat enhancement.

Glamorgan Gwent Archaeological Trust – no objection to the positive determination of the application subject to the suggested conditions and informative.

Gwent Police Traffic Management Officer – There are concerns relating to the road network that will be used to access this area when completed. The development would greatly increase vehicle numbers which would lead to road safety issues.

Gwent Police Community Safety Officer – No adverse comments to the proposals.

## 4.2 Neighbour Notification

There have been three letters of objection to the application and 86 letters of support.

The letters of objection have outlined the following concerns with the proposals:

- The increased traffic would have a detrimental impact on the existing road network particularly at peak times
- The existing bottleneck at Hadnock Road and on Wye Bridge is already heavily congested at peak times.
- The proposed CHP unit would require engineering work to create industrial grade supply to the site.
- Concerns over the need for the CHP and its size and whether additional plants would be required in the future.
- The CHP would generate noise and harmful emissions

The letters of support outline the following:

- The development would be an asset to the town
- It would bring employment opportunities into the area
- Excellent addition to Monmouth's existing facilities
- It would generate less traffic than the existing historic use
- The development would enhance the visual qualities of the area
- The development would support the local economy and create jobs.
- It raise the town's profile and help sustain the Monmouth economy
- It would encourage visitors to the area and provide a high quality hotel in the vicinity of the AONB and heritage assets.
- Local artisan producers would benefit from supplying the high end restaurant
- Monmouth is short of accommodation for visitors and this hotel would meet this need
- The development regenerates the area of river bank that has fallen into disrepair and is an eyesore
- The introduction of the hotel to the area would benefit other local businesses.
- There needs to be a consideration of the construction phase of the development in terms of traffic controls

Within the letters of support there were three letters that did raise concerns with the energy centre aspect of the proposed development and the following comments were made:

- The energy centre is excessive for the hotel/spa
- The CHP would create additional emissions
- Concerns whether this development will come forward and the CHP unit will just be built
- The scale of the CHP is excessive and could it be expanded in the future?

## 4.3 Other Representations

Monmouth Chamber of Commerce – fully supports the proposals and outlines that if the plans are approved it will increase local employment, further improve the economy of the town through increased tourism and continue to raise the profile of the Monmouth brand.

#### 4.4 Local Member Representations

None received to date

### 5.0 **EVALUATION**

#### 5.1 Flooding

5.1.1 The principle of the development is considered to be unacceptable based on the flooding issues relating to the proposed development and the site. The proposed hotel is categorised as a form of ‘highly vulnerable’ development within Technical Advice Note (TAN) 15 - Development and Flood Risk, and the site lies entirely within flood zone C2. TAN15 clearly outlines that highly vulnerable forms of development should not be permitted in flood zone C2 areas. Policy SD3 also outlines that highly vulnerable forms of development would not be permitted in this flood zone. The principle of the proposed development being sited in this particular location is therefore contrary to both TAN 15 and Policies S12 and SD3 of the Monmouthshire Local Development Plan.

5.1.2 Natural Resources Wales (NRW) has formally objected to the proposals and NRW is the Local Planning Authority’s expert advisor on flooding grounds. As such, NRW’s professional advice is normally accepted unless there evidence to warrant a different view or other material planning considerations are considered to outweigh this (significant) objection. NRW considers that the proposed development would be subject to an unacceptable flood risk and in addition, the applicants have not demonstrated that the risks can be acceptably managed. The proposed hotel is a highly vulnerable form of land use that would not be appropriate for this particular site which is liable to flood and cause risk to human life and property.

5.1.3 The submitted Flood Consequences Assessment (FCA) has outlined that the buildings would be flood-free. The predicted 1% (plus climate change) flood level is 19.47m AOD and the proposal involves raising all the buildings to a minimum level of 20.15m AOD. However the mitigation measures do not extend to the external areas of the site, including some of the car parking areas and internal access roads. The applicants have amended their proposals since NRW’s consultation response and have increased the level of the proposed car parking areas associated directly with the hotel element to 19.47m AOD to meet the 1 in 100 year event. However TAN15 (A1.14) states that all new development, regardless of vulnerability, should be flood free in the 1% plus climate change event and the FCA has not demonstrated that all of the parking areas and internal roads would be flood free. There are concerns relating to whether the access road off Hadnock Road would also flood in the 1 in 100 event and NRW have confirmed that during the 1% plus climate change event,



the site and the access should be classed as 'Danger for all – includes the emergency services'. NRW are of the view that the proposed access route along Hadnock Road would also become flooded during a flooding event. This would result in the proposed hotel not being accessible with people not being able to leave the site and emergency services not being able to get access to the site.

- 5.1.4 The applicants have provided a Flood Response and Management Plan (FRMP) that outlines that there could be an alternative exit route through the school but this route is also at a level of 17.66m AOD and would potentially also flood. Moreover, should a flood event occur, then there is a likelihood that the school site will also be evacuating, resulting in vehicle conflicts with hotel guests/staff attempting to pass through this private site, or a risk that (if during school holidays, evenings or weekends, that the school site is locked shut.
- 5.1.5 The submitted FRMP outlines that if guests/staff cannot evacuate they can remain within the hotel building. The document also outlines how the car parking areas within the 1 in 100 year event would not be overnight parking spaces and there would be precautions in place to remove vehicles from the site in the case of a flood event. After reviewing the FRMP and considering NRW's response and the fact that the access along Haddock Road and some elements of the site would not be flood free in the 1 in 100 year event, the development would result in an unacceptable level of flood risk to its visitors. The hotel would be isolated in the event of a flood and emergency services would find it difficult to access the site. Consideration needs to be given to the fall-back position as an employment site which would involve people working and vehicles parking within the flood plain and at a lower level, and therefore greater risk, than the proposed hotel. However, national planning policy is clear that the proposed highly vulnerable form of development of a hotel is not considered to be appropriate for this particular location which is liable to flood particularly with the impact of climate change. The proposed development is therefore contrary to Technical Advice Note 15 (TAN 15): Development and Flood Risk and policies S12 and SD3 of the Monmouthshire LDP.
- 5.1.6 The applicant has suggested that the proposal offers a further local benefit by using its proposed flood warning system to warn local residents of a proposed flood event and, in the worst case scenario, provide a dry refuge place for residents if their homes are flooded.
- 5.1.7 The applicants have outlined within the submitted FCA that the proposed development would not increase flood risk elsewhere in the locality through the displacement of water and alterations to the topography and have referenced hydraulic modelling prepared by Edenvale Young. The work outlines that flood risk is not increased discernibly off site. However NRW have outlined that this conclusion has not been verified through a review of the hydraulic modelling. If the application is to be recommend for approval this hydraulic modelling needs to be reviewed in more detail to ensure that the conclusions within the FCA are accurate and that the development does not result in additional flood risk elsewhere.

## 5.2 Protection of existing employment land

5.2.1 The existing site is a protected employment site and Policies SAE2 and Policy E1 aim to protect these sites and retain them for industrial and business use to retain employment opportunities for the locality. Policy E1 of the LDP outlines the following:

Proposals that will result in the loss of existing or allocated industrial and business sites or premises (classes B1, B2 and B8 of the Town and Country Planning Use Class Order 1987) to other uses will only be permitted if:

- a) the site or premises is no longer suitable or well-located for employment use;
- b) a sufficient quantity and variety of industrial sites or premises is available and can be brought forward to meet the employment needs of the County and the local area;
- c) there is no viable industrial or business employment use for the site or premises;
- d) there would be substantial amenity benefits in allowing alternative forms of development at the site or premises;
- e) the loss of the site would not be prejudicial to the aim of creating a balanced local economy, especially the provision of manufacturing jobs.

The proposed development would result in the loss of 5ha of industrial land. The existing site, however, has been vacant for over eight years and has fallen into poor condition. The demand for this type of large scale industrial unit is not considered to be particularly high in this area. The applicants have submitted a marketing report which outlines that there have not been many potential purchasers of the site coming forward and as a result the site has been vacant for many years. There is a lack of demand for this type of site. The buildings are in poor condition and the marketing report also outlines that they have come to the end of their 'economic life' so that significant investment would be required to renew the 'B' use employment prospects for the site. The report outlines the economically unviable cost of redeveloping the site for business use. It is accepted that the proposal is in accordance with criterion a) of Policy E1 of the LDP.

5.2.2 Criterion b) of Policy E1 of the LDP outlines the need for the County and the Monmouth area to have a sufficient amount of industrial land available for employment requirements. The Employment Sites and Premises Review Addendum (2010) produced by the Council for the LDP evidence base outlined "There was no recorded employment land take up in Monmouth between 1991 and 2009". In addition the site has been vacant for over eight years and thus there is evidence that there is a lack of demand for this type of industrial land in this area particularly given the economic costs of developing the site and the poor access arrangements. The LDP also makes provision for additional industrial land within the Wonastow Road Strategic Mixed Use Site (SAH4) and therefore the local area would retain a sufficient amount of this type of employment land. On balance, it is considered that the area would remain to be served by a sufficient amount of industrial land to meet the employment needs of the area. Thus, the proposal is considered to be in accordance with criteria b) and c) of Policy E1 of the LDP.

5.2.3 The proposed hotel and associated spa development would clearly be a substantial improvement to the amenity of the area. The existing site is vacant and dilapidated and the proposed development would significantly enhance the visual appearance of the site. The proposed development would also introduce additional health facilities for residents in the area through the spa facility and would provide economic benefits to the local area via the creation of jobs and investment to the local economy. The current site has been vacant for many years and is not delivering any jobs or income to the local economy and from the evidence submitted within the application the site is not considered to be likely to be redeveloped as a viable industrial site in the near future. The proposed development would create employment, enhance the site and benefit the local economy and therefore would be in accordance with criteria d) and e) of Policy E1 of the LDP. The business insight Officer for the Council has reviewed the proposals and, taking into account the constraints for this site in attracting employment B-class uses, has no objection to this proposal and welcomes the economic and employment benefits that the project would bring to the town. On balance, given the financial constraints of the existing dilapidated site, the lack of demand for this type of industrial site, the improvements to the visual amenity of the area and the economic benefits of the proposed re-development in terms of employment and investment in the local economy the proposed development is considered to be in accordance with Policy E1 of the LDP and is therefore acceptable in this regard.

### 5.3 Economic Development Implications

5.3.1 The proposed development would have a considerable positive impact on the local economy of Monmouth. The applicant has outlined that proposed development would create approximately 300 jobs during construction and 120 jobs within the operating hotel, spa and mixed use development. The proposals outline that the hotel would work closely with local tourism businesses and suppliers for goods and services and as such the development would support other local businesses. The development would also increase visitor spending on businesses in the area who would visit Monmouth's town centre and engage with leisure and tourism attractions in the area. The Tourism officer has outlined the potential of the proposed development, "According to Scarborough Tourism Economic Activity Monitor (STEAM) 2014, each serviced bed space in Monmouthshire in 2014 was worth £22,458.79 to the local economy over the course of the year. A new development like this, therefore, which provides 144 new serviced bed spaces has the potential to generate an additional £3.2m pa for the local economy from staying visitors when the hotel opens. This is in addition to spend by day visitors using the leisure and spa facilities, and cookery school."

5.3.2 Within the application the applicants have outlined that the STEAM figures are based on average spending patterns and as this proposed hotel would target higher spend visitor categories and provide comprehensive state of the art spa and wellness facilities the benefit to the local economy could be worth up to £5.6 million per year. The proposed development would create wealth and employment and support existing business and services in Monmouth and the

surrounding area and it would significantly promote tourism in the area. The proposed development would be in accordance with the LDP's strategic Policy S11 which promotes sustainable forms of tourism.

#### 5.4 Highway Safety and existing road network

5.4.1 The existing B2 industrial use of the site is a material consideration when reviewing the proposed implications that the development would have on the existing highway network. The site has been vacant for a number of years and therefore at present the site has no impact on the existing highway network. If an industrial use was reinstated at the site then the amount of additional traffic movements associated with this use would generate high levels of traffic movements that would also include HGV's utilising the local roads. The application was supported by a detailed transport statement that outlines that the proposed development would be acceptable and can safely accommodate the expected traffic associated with the development. The Council's Highways Officer has also reviewed the proposed development and the transport statement and has outlined that "Despite the findings in the Transport Statement we as Highway Authority are still very mindful of the ongoing congestion experienced in this particular area and are unconvinced that the additional traffic generated by the proposed development will have no significant impact on the existing network. However, we are mindful that the application site has existing allocated B1 Business and B2 Industrial land uses therefore we are unable to object to the application on the grounds that the proposed development will generate significantly less traffic than would be generated should the site be redeveloped under its existing allocated use." The proposed access arrangement utilise existing access points to the industrial site that are suitable for HGVs and that have sufficient visibility splays for the proposed use. The plans outline sufficient parking for the proposed use including provision for staff. Given the fall back position of the existing use of the site the proposed development is considered to have an acceptable impact on the existing road network and would be in accordance with Policy MV1 of the LDP.

#### 5.5 Design, Scale and layout of development

5.5.1 This application seeks outline planning consent with the design and appearance of the proposed development being a reserved matter that would be considered at a later date within a reserved matters application, if consent were to be granted. This application does consider the scale of the proposed development via the submitted scale parameters within the outline submission. The proposed hotel and spa development would largely be two storey in height with the proposed ancillary mixed use building being three storeys high. The application was supported by a Landscape Visual Impact Assessment (LVIA) that has assessed the development and which has outlined that the proposals will have beneficial effect on the local landscape character and specific landscape features. The LVIA assessed the hotel and spa building having a maximum height of 15m above the proposed site level and the mixed use building having maximum height of 17m above the proposed site levels. The existing site consists of large dilapidated industrial buildings and therefore the

replacement of these building with well-designed structures would enhance the appearance of the site. The site is well screened by existing trees to the north western boundary which would be retained and continue to screen views into the site. Also the existing large scale buildings that surround the site would also continue to screen it from vantage points from the north, east and south. The LVIA concludes that “the proposals result in a neutral to beneficial effect for both landscape and visual environment and as a whole can be regarded as a great improvement in comparison to the existing situation.” The scale of the buildings has been considered as part of this application and the proposal of a two storey hotel, spa, serviced apartment block and three storey ancillary mixed use development is considered to be acceptable, including consideration of the impact on the adjacent AONB.

- 5.5.2 The proposed ancillary energy centre building would also be a maximum of 10m high although it would also have an external flue that in that in the worst case scenario (depending on health considerations) could be up to 21m in height (11m above the highest part of the building). Given that the proposed flue would be situated in an area characterised by industrial buildings to the north and would be sited on lower land with the land rising to the east and screened by existing trees, its visual impact is considered to be acceptable. The design of the proposed buildings would be considered in more detail within a reserved matters application if consent were to be granted. At this stage, though, the proposed scale parameters of the building are considered acceptable and the development would not have an adverse impact on the wider area.

## 5.6 Energy Centre

- 5.6.1 The proposed energy centre is an ancillary element of the proposed development that would provide power and heat and could also provide surplus power into the local grid network via the substation adjacent to Hadnock Road. The principle of constructing the combined heat and power (CHP) system is considered to be acceptable and this type of power generation is widely supported by the Government as a way to reducing overall carbon emissions. The Council’s Environmental Health Officer has not objected to the principle of the proposed energy centre and is reviewing the exact details of the levels of emissions and impact on human health and the environment. There have been concerns raised by local residents regarding the energy centre outlining that it would be excessive in scale and would create additional emissions in the area. The scale of the energy centre is considered to be acceptable and its size is largely determined by its function, supporting an ‘energy hungry’ use involving a spa and hotel. The proposed building would not be visually intrusive and it would appear as an ancillary element of the overall proposal. The proposed energy centre would provide a form of low carbon energy production for the site and subject to the appropriate measures being taken it would not have a detrimental impact on air quality or result in unacceptable levels of noise. Subject to such measures that would be agreed with Council’s Environmental Health Officer (EHO) this aspect of the development would not have an unacceptable impact on the amenity of any other party, human health or the harm the environment so as to warrant refusing the application. The applicants

have outlined that the building would have to be well designed and not generate an unacceptable level of noise, smells or other emissions as this would disturb the residents and visitors of the hotel complex. If the application were to be deferred for approval further details relating to the energy centre would have to be submitted and reviewed prior to any decision being made to ensure that there is a clear demonstration that the proposed CHP unit would not have an adverse impact on the environment. In conclusion, the Council's EHO is satisfied that the principle of this element is acceptable and emissions can be adequately controlled, subject to the submission of additional detail.

## 5.7 Planning balance

- 5.7.1 When considering the recommendation for this application the Local Planning Authority (LPA) has had to review the planning balance of the development and consider the economic benefits that the proposed development would bring to the town and the wider area. Section 38 (6) of the Planning Act requires that decisions should be assessed against the Development Plan unless material considerations suggest otherwise. The applicant has presented the case that the economic benefits of the proposals and the enhancement of the site outweigh the flooding concerns at the site and the conflict of the development with TAN 15 and Policy SD3 of the LDP. Having considered the proposals and been in regular dialogue with NRW it is considered this form of highly vulnerable development should not be sited in an area that is liable to flood and cause risk to life and property. The applicants have outlined that the hotel building and its main car park would be flood free within the 1% flood event as the ground levels would be raised but as outlined in TAN15 this type of vulnerable residential development should not be sited within these flood risk areas to minimise the risk of flooding harming life and property in the first instance. The stance of the Welsh Government and national planning policy on this matter is that this type of development should not be sited in flood unprotected areas to minimise any risk to life and property. A material planning consideration when determining an application is whether the proposed land use is appropriate for the site and given the highly vulnerable nature of this development in this location the risk of flooding is considered to be unacceptable.
- 5.7.2 In addition to this in principle objection, the proposal does not satisfy the tests in Section 6 of the TAN15. It is a brownfield site and the proposal clearly has strong economic and employment benefits. However the consequences of flooding have not been shown to be acceptably managed. Some buildings, parking areas and access roads will flood, as will the only road allowing people to exit the site.
- 5.7.3 The applicant has outlined the economic benefits to the town and wider area and although these benefits are recognised an alternative site outside of a flood zone would still bring the same economic benefits to the area. In correspondence dated 29<sup>th</sup> March 2016 the applicant's agent has outlined several benefits that the development provides and outlines how Technical Advice Note 23 (TAN23) - Economic Development, offers very strong support for the application. The applicant argues that there are a number of benefits of the site (including its waterfront location, proximity to Monmouth town and key

cycle and walking routes that are not available elsewhere (such that the economic benefits of the hotel could not be achieved elsewhere in Monmouth. There is a recognition of the economic benefits of the development but in this particular case it is considered that the economic benefits of the development do not outweigh the flooding concerns and potential risk to life and property that could be caused by the development. This particular site is not suitable for this type of highly vulnerable development and the applicant has not demonstrated that the consequences of flooding can be adequately managed. It is therefore recommended that the application is refused.

## 5.8 Conclusion

The proposed development is located within flood zone C2 where TAN 15 presumes against all highly vulnerable forms of development such as the proposed hotel. Planning Policy Wales, TAN 15, and Policies S12 and SD3 of the LDP, seek to ensure that flood risk to development is kept to a minimum and that the adverse consequences of flood risk are avoided. The proposed development is not acceptable in terms of flood risk and the applicant has not demonstrated that the consequences of flooding can be managed. The economic and associated benefits of the proposed development do not outweigh the flood concerns. This site is not suitable for highly vulnerable forms of development and accordingly, it is recommended that the application is refused.

## 6.0 **RECOMMENDATION: REFUSE**

### Reason

1. The development would result in the location of a form of highly vulnerable development in Flood Zone C2 as identified by development advice maps referred to under Technical Advice Note 15 - Development and Flood Risk. Moreover, the applicant has not demonstrated that the consequences of flooding can be acceptably managed. The proposal, therefore, 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 Local Development Plan.