

DC/2015/01585

CONVERSION OF ORIGINAL HOUSE TO 6 APARTMENTS; CONVERSION OF COACH HOUSE AND STABLES INTO TWO SEPARATE RESIDENTIAL UNITS. DEMOLITION OF 1970'S EXTENSION BLOCK, ERECTION OF 36 NEW BUILD RESIDENTIAL UNITS (INCLUDING 10 AFFORDABLE RETIREMENT APARTMENTS AND 2 AFFORDABLE RETIREMENT BUNGALOWS)

THE HILL, ABERGAVENNY

RECOMMENDATION: APPROVE

Case Officer: Kate Bingham

Date Registered: 21/03/2016

1.0 APPLICATION DETAILS

- 1.1 This application seeks the redevelopment of the former Coleg Gwent facility to provide 45 no. residential units comprising 6 no. apartments in the existing main house, 24 no. new build open market dwellings, 10 no. new build affordable retirement apartments and 2 no. affordable retirement bungalows. There are also 2 separate residential units which are conversion of existing buildings on the site and the reinstatement of the existing garden cottage.
- 1.2 The site comprises 8.26ha (20.41 acres) of former educational and residential conference land and buildings with a C2 Use Class (Residential Institution). Those uses ceased in 2009. The site includes a large, extended mansion house, formal and informal landscaped grounds, modern residential/educational buildings, a former stables building and garden cottage. All of the original buildings are to be retained and re-used as part of the development.
- 1.3 New build residential development is proposed to be located to the east of the site adjacent to the existing dwellings on Hillside, roughly in the location of the existing modern extension that houses the residential accommodation for the college and to the south on the former croquet lawns and tennis courts but of which there is now no physical evidence. Further new build housing is proposed to the northwest corner of the site around the location of the existing car park. A separate development of 12 affordable units is proposed in the south western corner of the site.
- 1.4 The development of the site can generally be split into four areas; northwest, southwest, east (including the existing house and associated buildings) and southeast.
- 1.5 Northwest – the existing entrance from Pen-y-Pound will accommodate a new left hand turn which will enter a residential development of 13 no. new dwellings. This area includes the existing lodge building that is not part of this application but will have a new parking arrangement. The proposed new dwellings would have 4-5 bedrooms and would be located in relatively spacious plots which have been arranged around two large specimen trees that are to be retained.
- 1.6 Southwest – this area is proposed to accommodate a block of ten affordable apartments with two 2-bedroom bungalows attached. Parking will be located to the rear. The main block will be two storey and has been designed to mimic the mansion.
- 1.7 Southeast and east – eleven two bedroom retirement houses are proposed to the southeast of the main house. The large open space to the front of the mansion will be

retained. It is proposed to retain all of the existing buildings on site that are considered to be of any quality. This includes the original part of the main house which is to be refurbished to create six apartments. The Garden Cottage and Stable are also to be retained and reinstated as dwellings together with the Coach House.

- 1.8 The remainder of the site is made up of a formal and informal garden area immediately adjacent to the main house which is integral to its setting and the character of the historic garden. This area is not proposed to be developed but will be long term managed and restored where appropriate as part of the wider development of the site. The listed walled garden is to be maintained by a private management company as part of the development and will not form part of the title of any of the adjacent dwellings.
- 1.9 The majority of the proposed development will be accessed off the existing access road off Pen-y Pound. A separate access off Hillside to the south of the site will be created to serve the proposed affordable housing in the south western corner of the site.
- 1.10 The site is within the development boundary of Abergavenny and is not constrained by any flooding or ecological designations. However, the site is a Historic Park and Garden and is within the Abergavenny Conservation Area. The walled garden to the rear of the mansion house is also Grade II listed.

2.0 RELEVANT PLANNING HISTORY

DC/2015/01586 – Conservation Area Consent for this development. Concurrent application. Recommended for approval.

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

- S1 – Spatial Distribution of New Housing Provision
- S4 – Affordable Housing
- 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

- H1 – Residential Development within Main Towns
- SD2 – Sustainable Construction and Energy Efficiency
- SD4 – Sustainable Drainage
- DES1 – General Design Considerations
- EP1 – Amenity and Environmental Protection
- NE1 – Nature Conservation and Development
- G11 – Green Infrastructure Provision
- LC3 – Brecon Beacons National Park
- LC5 – Protection and Enhancement of Landscape Character
- MV1 – Development and Highway Considerations
- MV3 – Public Rights of Way
- HE1 – Development in Conservation Areas
- HE2 – Alterations to Unlisted Buildings in Conservation Areas

4.0 REPRESENTATIONS

4.1 Consultations Replies

- 4.1.1 Llantilio Pertholey Community Council – Recommend approval.
- 4.1.2 Abergavenny Town Council – Recommend approval.
- 4.1.3 Cadw – No objection in principle. Concerns regarding the density of housing in the northwest area of the site. Full comments;

The planning application is supported by a Conservation Statement by RPS group and a LVIA by Anthony Jellard Associates. Whilst the Conservation Statement deals with the impact of the demolition of the modern buildings and the retention and conversion of the historic building, it does not deal with the impact of the new build residential units within the grounds on the registered historic park and garden.

The Design & Access Statement splits the proposed development into 3 areas (p.12, para 4.4) North-West; South-West; East. Our comments on the proposals within these areas are as follows.

Northwest - It is proposed to construct a cul-de-sac of 13 new residential units in the north-west area of the registered park and garden. The proposals include driveways off the main drive and a new road access. In our view, this part of the application will have a significant adverse impact on the registered site.

The Hill is approached from the west along the entrance drive. This has been the main approach since the eighteenth century and by the nineteenth century the drive was flanked by an avenue of trees. The north-west area is clearly visible from the historic drive and provides the immediate setting to the historic approach and the parkland setting to the house and formal gardens. The proposals in the north-west area of the site conflict with some of the philosophies set out in the Conservation Statement accompanying the application, which aims to improve the setting of the historic mansion and grounds. In fact p.18 of the Conservation Statement makes the recommendation to remove the intrusive current parking areas from the sloping ground to the north of the site access drive. Whilst we agree that its removal would be beneficial to the registered park and garden, we have concerns about its potential replacement with modern development.

Although part of the north-west area has already been developed as a car park, this is simple, flat tarmac area and presents an opportunity to improve the setting of the mansion, gardens and approach drive by the reinstatement of this area of the park and garden. Whilst reinstatement would be our preferred option in this area, our concerns could potentially be mitigated by a reduction in the density of development in this area and an alternative design and layout which appears less like a modern housing development and is more in character with its historic setting,

Southwest - A 10-unit apartment block with two 2 bedroom bungalows attached is proposed in the south-west area of the site. Access to the new units is proposed via Hillside, separating this area from the historic park. The proposed units encroach onto a previously undeveloped area of the registered park and garden and therefore will have some adverse impact on it. However, the existing trees which are to be retained as part of these proposals will go some way to screening the proposed units in this area and although it would be preferable to retain this open area, we do not consider

that the proposed units will have a significant impact on the edge of the registered park.

East - The proposed demolition of the modern blocks together with the proposed retention and conversion of the mansion, garden cottage, stables and coach house provides a sustainable use for the historic buildings and is likely to have a beneficial impact on the registered park and garden at The Hill. In our view, the proposed construction of 11 two-bedroomed retirement houses with single car ports, partly on the previously developed areas adjacent to the mansion and additionally in the south east of the site, is likely to be an improvement to the large college blocks currently adjacent to the mansion. The proposed parking arrangement is also improved by the removal of parked vehicles from the mansion forecourt. The proposed units in the south-east of the site encroach onto a previously undeveloped area of the registered park and garden and therefore will have some adverse impact on it. However, the existing trees which are to be retained as part of these proposals will go some way to screening the proposed units in this area.

The sympathetic repair to garden features and proposed replanting to enhance the historic character of the registered park and garden is beneficial and welcome. However, it is not clear how it is proposed to retain the historic character of the registered park and garden in the long term, which could easily be diluted by unsympathetic management and ad-hoc incremental changes.

4.1.4 Brecon Beacons National Park Authority – Object to area of housing to the northwest;

The National Park echoes the concerns raised by Cadw in respect to the detrimental impact represented by the cul-de-sac of dwellings proposed to be located to the north western corner of the site. This area of the development is of particular interest to the National Park Authority as it is adjacent to the boundary of the National Park. It is considered that this section of the site with numerous mature trees provides clear definition between the open field landscape of the Park, contributes to the conservation areas and the setting of the Registered Park and Garden. The National Park Authority consider the cul-de-sac development for reasons of design and density urbanises the area. In the guidelines recommendations section of NRW's LANDMAP advice regarding Visual and Sensory aspect of this part of Abergavenny it is stated; '*Medium Term (new build should reflect historical character both in materials, forma & structure) Immediate (discourage new housing/development on rising ground, valley floor and where it would affect the setting of the BBNP)*'. In respect of lighting associated with the development, it is considered important to protect the national Park Dark Skies reserve and the visual and ecological qualities provided by the woodland area located adjacent to the Park boundary.

National Park Ecologist; Not had time to undertake a site visit and unclear how much tree loss there will be but concern that a number of trees and woodland habitats within the site will be felled. The retention of the woodland corridor along the northern boundary is welcomed but its value is diminished by loss of trees and woodland habitat to the south. It will also be important to ensure that external lighting is sensitively designed and sited to avoid light-spill to the woodland corridor and the National Park beyond.

4.1.5 Dwr Cymru-Welsh Water – No objection subject to conditions and advisory notes.

4.1.6 Natural Resources Wales (NRW) – Significant concerns with the proposed development as submitted. We recommend that planning permission should only be

given if the following requirements can be met by the applicant. If these requirements are not met then we would object to this application.

Summary of Requirements;

1. Landscape: Amendments to the quantity, layout and design of new residential development within the Registered Park;
2. Landscape: Further research and site investigation on the designed landscape as part of the Historic Environment Assessment;
3. Landscape: Production of a Conservation Management Plan for the Registered Park & Garden. If your Authority is minded to grant this proposal in its current form we recommend that this requirement is secured through condition;
4. European Protected Species: A comprehensive bat method statement setting out the impacts of the proposals on bats and details of all the mitigation that will be put into place.

4.1.7 MCC Highways – No objection. Main part of access road to be adopted.

4.1.8 MCC Planning Policy – No objection.

4.1.9 MCC Heritage Officer – No objection subject to conditions;

- Roofs on conservatories on plots 11, 12 and 13 should be solid.
- Fascia / soffits to be painted timber in a dark colour.
- Rainwater goods in cast metal, but should be a dark colour.
- Samples of materials.

4.1.10 MCC Green Infrastructure Team (GI, Landscape, Ecology, Trees and Public Rights of Way - collectively looked at the submission and put forward a number of objections;

GI – The existing GI assets have not been fully incorporated into the layout as submitted with particular concern around the loss of woodland and trees and close proximity of the development to these assets. It is also unclear how the walled garden will be available to the residents and wider community.

Landscape –

- Lack of reference to the landscape setting and character of place specifically in relation the design and layout of development to the north-west and south-east.
- Lack of a comprehensive and inclusive GI strategy that also embraces the historic landscape and access opportunities.
- Concerns about the quality and layout of development and its suitability and compatibility within the listed building and historic parkland and setting. I am particularly concerned about the proposed circular cul-de-sac to the north. I feel development is too high (ideally this should be retained as parkland) however at minimum the proposal should be restricted to just the southern proportion of the site which is currently occupied by the car park. This layout and overall design in particular is contrary to policies S13, 17, LC5 and HE1.

Ecology – An ecological objection was offered for this scheme based on insufficient assessment of impacts of development on habitats and species and loss of woodland habitat and potential negative effects on Ancient Semi natural woodland. Further information subsequently submitted.

Public Rights of Way – Objects. Countryside Access believes that the proposed development does not comply with the requirement of both TAN 12 and the Active Travel Bill.

4.1.11 MCC Education - Based on 32 houses using the housing mix provided this development generates 7 primary pupils. The remainder of the development is 1 bed flats so will not impact. The catchment area school is Deri View Primary school, therefore there is capacity to accommodate the additional pupils.

4.1.12 MCC Housing Officer – No objection subject to S106 to secure the affordable housing proposed. Due to nature of the site and the development, a commuted sum to make up for a shortfall in number of affordable units on the site will be acceptable in this case.

4.2 Neighbour Notification

Two representations received. Object on the following grounds/raise the following concerns;

- Question who will manage the trees and greenery adjacent to the wall on Pen-y-Pound?
- Increase in traffic on Pen-y-Pound due to the number of homes which will put pressure on the narrow road outside the estate.
- Should allocated parking within the site for visitors to the walled garden
- The walled garden should be open to the public daily.
- Opposed if adequate long term plans are not included for the public access to the walled garden and for the undisturbed retention of the woodland bordering Deri Road.

4.3 Other Representations

4.3.1 Abergavenny and District Civic Society – The Society is pleased to make the following observations on this application:

We regret the loss of an educational facility that contributed, and might have continued to contribute, much to the well-being of the town. Nevertheless we have no planning objection in principle to the residential use of existing buildings and parts of the grounds provided that the development is sufficiently consistent with the character of the Conservation Area and the Grade II status of the entire area in the Cadw/ICOMOS Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales. We are aware that the site is within the Local Development Plan development boundary for Abergavenny, though the applicants' claim that the location is sustainable might be questioned.

Our comments are constrained by being unable to gain access to the site. We cannot, for example, assess how the positioning of houses will impact on views from the main house.

The main planning concern expressed by our members is traffic generation on Pen-y-Pound and particularly at the junction with Avenue Road and Old Hereford Road, which is regularly overloaded by school and leisure centre traffic. The argument that 45 residential units will not generate significantly more traffic than the residential college is strongly questioned. Local residents assert that there were normally only about a dozen cars parked at the college and that students were usually transported by

minibuses. They also point to the amount of weekend parking generated on Pen-y-Pound by nearby leisure activities.

We are uneasy that a further development phase may be proposed for the south-western part of the parkland, and would like to see this ruled out.

The character of the adjacent part of the Conservation Area is low density bespoke housing of varying periods scattered somewhat randomly in the well-treed grounds of old houses. The density proposed for the north-western part of the site is similar to that of Avenue Crescent, which is further away, off Avenue Road. We note that your pre-application advice does not recommend this area and we would have preferred a lower density and a more random distribution of houses here. We note the variety of styles proposed and that landscaping and walling details, yet to be submitted, can determine the quality of the scheme. Nevertheless we fear that the housing here will have an unduly estate-like character.

Without access, we have no comments on the siting of the other housing proposals.

The proposed architecture seems generally acceptable, echoing traditional or vernacular forms and well-proportioned. Materials are not detailed other than in para 4.9 of the DAS. We are unsure about the late Victorian style chosen at a right angle to the classical main house, but this is impossible to judge without sections, street views or access to the site. If there are floor levels on the layout plan, we cannot read them on line. We recognise that modern housing may not need them, but we always feel that traditionally styled houses without chimney stacks appear debased; only four have these, and they are rather unsuitably added to the side elevations. The somewhat 'Regency' style of the main affordable housing block would particularly benefit from chimney stacks.

We leave the detailed assessment of the trees in the area to your experts, commenting only that we attach the highest importance to retaining and managing those on the boundaries of the site. A 1949 aerial photograph shows few trees in the north-western part of the site now proposed for housing. We also stress the importance of retaining and managing old boundary walls and the entrance gateway.

We note the concerns expressed by Friends of Gardd y Bryn regarding the walled garden. We agree that the authentic historic character of the garden should be restored rather than replaced with a new scheme, and we fully support the need to ensure its appropriate management and public access, whether by planning conditions or other means. This will require some provision for car parking and toilets.

Another plea is that the street lighting should be compatible with the National Park's Dark Sky Reserve.

Several of our members have commented on potential S106/CIL funding for road improvements or enhancement of the Football Stadium, a social facility to which U3A relocated when The Hill became unavailable.

- 4.3.2 Friends of Gardd Y Bryn - We are volunteers in The Friends of Gardd y Bryn group who have been working to restore the historic walled garden at The Hill, Abergavenny, since 2010. We have some concerns about the development plans.

We were informed at a public exhibition that a resident's management committee would decide on how the estate, including the walled garden, would be maintained in the future.

But the proposals shown online would effectively destroy what is left of the current walled garden, in addition to shutting out any community involvement.

We are concerned about the proposal to reduce the size of the walled garden and hive off part of it to provide two private gardens.

If the Edenstone application is granted we would like to see in the planning conditions that any future resident's management committee would ensure that the walled garden remains a garden and that there would be reasonable access and facilities for community organisations.

We would welcome the retention of the garden's layout and the retention of its heritage theme but other proposals are at odds with the accompanying ecological study: 4.6.1 Aims - Retain existing wildlife value of shrubs. Retain and enhance ecological value of walled garden while retaining its formal historic management.

The creation of the lawns, communal orchard and mulberry walk is a completely new design for the garden which will inevitably result in the destruction of all of the existing shrubs, many of which are prized and unusual.

The orchard and 'hay meadow' throw up a maintenance problem. Mowing an orchard needs special equipment especially if it is among trees. The maintenance recommendations from the ecological study also recommend leaving strips of unmown grass to enhance the ecological diversity, true, it will. But wouldn't the residents want the grounds kept 'neat and tidy', and how likely would it be that these unmown strips would be left, unless they are fenced off.

Why mulberry trees have been recommended is a complete mystery: these trees are slow growing, and when they eventually fruit, the birds will eat them and then deposit awful stains on the surrounding area and the residents' washing!

The walled garden has been planted with a series of themes and some yew-hedged 'rooms' one of which has yellow and gold coloured flowers and plants while another has a silver theme. The new proposals for the walled garden have paid no consideration to what is already there - mature trees and shrubs. A yew hedge has been put in a different place and a border somehow squeezed between it and the central path, the 'gold' and 'silver' gardens have been replaced by vegetable plots, the soft fruit becomes lawn as well as the shrubbery on the other side. It is not clear what is proposed in other areas such as the current Mediterranean garden.

It's not clear what is planned for the walled garden's only vehicular access in the south-west corner (and access to the compost heaps). If this goes, how will heavy machinery get in? What about disabled access? Also, if the compost heaps are to disappear where will the new ones go? What about car parking facilities?

We are primarily concerned with the historic and registered walled garden which we would very much like to see restored. We would also like to echo the sentiments of many residents of Abergavenny and beyond who feel mournful about the loss of The Hill College and conference centre with its residential and educational facilities. It is a great loss to the amenities and culture of the town.

We understand that this site is not in Monmouthshire County Council's Local Development Plan adopted on 27 February 2014, and if the application is approved, we feel that especially strict planning conditions would be appropriate.

We would ask that the entrance road to the estate be adopted by the local authority as part of the planning conditions.

Secure facilities such as water, electricity, a toilet and a mess room should be laid on for garden volunteers as well as car parking, and storeroom for tools.

Unfortunately, the lack of toilet facilities once the security guards were withdrawn meant that we lost a chance to bolster the number of volunteers by incorporating another group. In addition, the continued uncertainty about the site's future meant that we could not apply for grant funding.

- 4.3.3 SEWBREC Search Results – Various species of bat recorded foraging/commuting within the vicinity of the site.

5.0 EVALUATION

5.1 Principle of Development

- 5.1.1 The site is within the development boundary for the town and as such the principle of development is supported. The scale of the development and the desire to develop and manage the site as a whole is welcomed, as is the retention of the main house, stables, Garden Cottage and Coach House.

- 5.1.2 Strategic Policy S4 relating to the provision of affordable housing is of relevance; for sites of five or more dwelling units in Main Towns such as Abergavenny there is a requirement for 35% of the total number of dwellings on site to be affordable. The proposed development includes 33 market dwellings and 12 affordable dwellings (10 flats and 2 bungalows), falling short of the requirements of Strategic Policy S4 which would require 16 affordable units.

- 5.1.3 The proposed layout of the site is low density and considerably less than 30 dwellings per hectare which is the presumed capacity of sites for residential development in the Local Development Plan (referred to under criterion i) of Policy DES1). However, compliance with this criterion must be weighed against criteria l) of Policy DES1 which seeks to ensure that existing residential areas characterised by high standards of privacy and spaciousness are protected from overdevelopment. The sensitive setting in this instance is considered to justify a relaxation of normal density requirements. In this respect, the site is located within the Abergavenny Conservation area, where Policy HE1 applies and must be taken into consideration. As there is no specific local planning policy in relation to historic parks and gardens it is important to ensure DES1 in relation to General Design is considered along with Chapter 6 of Planning Policy Wales relating to Conserving the Historic Environment. The impact of the proposed development on these features is considered below.

- 5.1.4 Coleg Gwent have indicated that the site is no longer required and has therefore contracted to dispose of the site to Edenstone Homes Ltd on receipt of planning consent. There is no planning policy requirement to keep the facility for educational purposes if the need is no longer there or met elsewhere which is clearly the case at this site given that the use ceased in 2009.

5.2. Impact on the Conservation Area, National Park, Registered Garden and Listed Walled Garden

- 5.2.1 The layout of the site has been arranged to suit the existing topography of the site which is generally sloping from northeast to southwest. The layout has been designed

to have regard to the existing buildings and gardens, roads and footpaths within the site as well as the setting of the main house within the Historic Park.

- 5.2.2 All of the new residential units will be two storeys in height except for the two self-contained affordable bungalows that will be attached to the apartment block in the south western corner of the site. Materials proposed for new build private dwellings are a mix of stone and rendered walls with natural slate roofs, sash uPVC windows and timber doors with cast metal rainwater goods. The affordable dwellings will be rendered and brick with a natural slate roof and uPVC windows and doors. Dark coloured uPVC rainwater goods are also preferred by the developer for the affordable units as social landlords generally require them for maintenance purposes.
- 5.2.3 In order to define public and private areas within the site, some means of enclosure will be required. To this end, painted railings are proposed in addition to low level planting. It is proposed to erect a 1.8m natural stone wall around the affordable housing in the south west corner of the site and along the public boundaries of the new dwellings to the northwest. Adjacent to the walled garden 1.1m high post and wire fencing is proposed to define curtilage boundaries. Elsewhere timber fences will only be used between rear gardens where they generally cannot be seen. The means of enclosure proposed are considered to be appropriate to the location.
- 5.2.4 The proposed new housing to the north west of the site has been designed as a cul-de-sac of 13 new two storey residential units. The proposals include driveways off the main drive and a new road access. This area of development has generated the most concern from consultees. The area will be accessed via a left hand turn off the main entrance drive. This drive has been the main approach since the eighteenth century and by the nineteenth century the drive was originally flanked by an avenue of trees. The area provides the immediate setting to the historic approach and the parkland setting to the house and formal gardens. Part of this area is currently a car park and given its currently engineered appearance, it is therefore difficult to argue against re-using this area for new housing. The band of trees along the northern side of the driveway are to be retained and will provide some screening and retain a sense of the original avenue with only one additional access point to serve one private dwelling off this drive that will be between the existing trees.
- 5.2.4 This area includes, amongst others, a very large veteran Sweet Chestnut tree which has significant value both architecturally and in terms of its importance for biodiversity. The tree is to be protected during construction and protected and retained thereafter and will form the focal point of this part of the site. It will be within open space and not within the title of any individual property. Other veteran trees that will become part of private gardens are protected by TPOs and it will be clear to any prospective purchasers that mature trees will be in their garden and that these trees are protected.
- 5.2.5 The existing woodland on the northern boundary with the National Park is also to be retained. This will continue to act as a buffer between the application site and the open fields of the National Park to the north. It is also considered that sufficient distance has been allowed between this part of the development and the walled garden and due to existing tree planting and the topography of the site, this part of the site has little visual relationship with the setting of the main house, formal walled garden and parkland area to the south. The low density of development proposed at this part of the site is not considered to conflict with the character of the registered park which has historically been open with a strong belt of boundary trees to the north and west.
- 5.2.6 In terms of the design of the houses themselves, these have been designed to be sympathetic to the vernacular of the area. Windows are to be mock sash with Georgian

style window bars. The houses will also feature details including stone cills and heads to doors. Chimneys have also been included on larger properties. A mix of render and stone finishes are proposed to add some variation.

- 5.2.7 A 10-unit apartment block with two 2 bedroom bungalows attached is proposed in the south-west area of the site. This housing here will be affordable, specifically for older people which reflects the need in the local area. Access to the new units is proposed via Hillside, separating this area from the historic park although the residents of these units will have pedestrian access to the historic park and full use of this area as per the occupiers of the private dwellings.
- 5.2.8 The proposed units project into a previously undeveloped area of the registered park and garden and therefore will have some adverse impact on it. However, the existing trees which are to be retained as part of these proposals will go some way to screening the proposed units and it is accepted that this area has already been encroached upon to some degree by the existing private dwelling between the driveway and the proposed new housing to the south west which appears to have been built in the 1960's or 70's. As such it is not considered that the siting of new housing in this area will have a significant impact on the edge of the registered park.
- 5.2.9 As opposed to the more generic design of the private houses on the site, the block of affordable apartments and attached bungalows has been designed in the style of the main house itself although there will be little direct visual relationship between the two. The principle of using the main house to influence the design of the affordable dwellings, which by virtue of the fact that they are flats and tend to be bulky structures, is welcomed to provide this element with good proportions and a well-considered design.
- 5.2.10 The proposed demolition of the modern blocks together with the proposed retention and conversion of the mansion, garden cottage, stables and coach house provide a sustainable use for the historic buildings and is likely to have a beneficial impact on the registered park and garden at The Hill. The proposed construction of 11 two-bedroomed retirement houses with single car ports, partly on the previously developed areas adjacent to the mansion and additionally in the south east of the site, would be an improvement to the large college blocks currently adjacent to the mansion. The proposed parking arrangement is also improved by the removal of parked vehicles from the mansion forecourt.
- 5.2.11 The proposed units in the south-east of the site are located on a previously undeveloped area of the registered park and garden and therefore will have some adverse impact on it. This area was originally used for tennis courts and a croquet lawn and was not therefore part of the more informal parkland gardens that remain to the front of the main house. The existing trees which are to be retained as part of these proposals will also go some way to screening the proposed units in this area from views from the house.
- 5.2.12 The design of the dwellings in this area is similar to those in the north west of the site. However, the density of the units here has been increased and the size of the units reduced. In this way the proposed new dwellings will relate better to the scale of the main house and other existing cottages that are to be retained.
- 5.2.13 The sympathetic repair to garden features and proposed replanting to enhance the historic character of the registered park and garden is beneficial and welcome. The Green Infrastructure Management Plan will show how the historic character of the

registered park and garden will be retained in the long term as this could be diluted by unsympathetic management and ad-hoc incremental changes in the future.

- 5.2.14 Overall therefore, on balance it is considered that the layout and design of the proposed will not harm the registered park or the wider landscape and will maintain or enhance the character and appearance of the consideration area.

5.3 Access, Parking and Traffic

- 5.3.1 Vehicular access to the majority of the site will be via the existing access off Pen-y-Pound. The existing access is not up to current standards in terms of visibility. However, the site has an extant use as a residential educational facility which would have generated its own traffic and this must be taken into consideration even if the site was not being used up to potential capacity. The benefits of refurbishing the existing entrance gate and walls and reinforcing the former avenue of trees that would have formed the western approach to the main house is also recognised.

- 5.3.2 Consideration may need to be given to change in priority with the access as the main highway and the 'mountain' access road being the minor road. The footway along Pen-y-Pound may need to be upgraded or widened. The 30mph zone may need to be extended which would require Traffic Regulation Orders, the costs of which would need to be met by the developer.

- 5.3.3 It is proposed to provide 103 car parking spaces in total (including five integral garages). The number and dimensions of the parking spaces have been calculated using the Council's adopted parking standards which requires one space per bedroom up to maximum of three spaces per dwelling. Based on the quantum of development this required number of spaces would stand at 92. Therefore the proposed development is considered to be compliant in this regard.

- 5.3.4 Objections have been raised in relation to the amount of traffic that is likely to be generated by the proposed new housing and its impact on the surrounding local road network. In this regard the existing lawful use of the site as a residential college needs to be considered. The site currently provides parking for approximately 120 cars and although the college was not being used to its capacity in more recent years, the potential traffic generated by the previous use (the fall-back position) is no less than the potential traffic generation of the proposed dwellings.

5.4 Biodiversity Considerations

- 5.4.1 An ecological objection was offered for the scheme based on insufficient assessment of impacts of development on habitats and species and loss of woodland habitat. As such an Ecological Impact Assessment (EclA) has now been submitted to support the application.

- 5.4.2 From the EclA it can be deduced that the extent of vegetation removal will be limited to 1.89 acres (0.76 hectares) which equates to 19% of the overall application area (which does not include the area of open grassland amenity space within the blue line boundary). Of that area to be lost, 1.5 acres (0.60ha) will include loss of woodland and scrub. 4.4 acres (1.78 ha) of existing woodland, scrub and grassland within the application site will be retained together with 10.5 acres (4.25 ha) of woodland, scrub and open space that lies outside the application site but within the wider estate grounds controlled by the applicant. On balance therefore it is considered that the potential overall loss is not significant.

- 5.4.3 The floristic value of the existing grassland has been identified as moderate–low. There are significant opportunities to increase floristic value of amenity grassland by over-sowing with species such as yellow rattle or use of lawn mixes on areas that need to be managed more often. This should be included in the Green Infrastructure Management Plan.
- 5.4.4 Based on the Phase 1 habitat map it is considered that the area of scrub that will be lost will be limited to a small area near the buildings which subject to a condition to consider nesting birds and reptiles, will not have a significant effect. Hedgerows were identified as species rich Priority Habitats but fortunately these habitats will not be affected by the development. The long term management of these should also be included in the GI Management Plan.
- 5.4.5 A bat survey report has been submitted to support the planning application which considers both the buildings at the site and the trees. Bats were found to be using some of the buildings on and around the site but works to these do not form part of this planning application. A condition will be necessary for trees to be removed/subject to works / close to the new development to be re-inspected prior to works particularly as there was a high number of trees with bat roost potential. Also, due to the potential loss of trees as roosts due to disturbance/lighting/habitat severance, it is recommended that a planning condition is used to secure bat enhancements in the new builds and on trees in the form of bat boxes.
- 5.4.6 The Preliminary Ecological Assessment identifies extensive habitats suitable for reptiles throughout the site. It recommends that Reptile survey should be undertaken however, a Mitigation Strategy has been submitted based on assumed reptile presence. It would be preferential to undertake survey to ascertain presence/absence and estimate population size in accordance with best practice. However, in this case it is considered that a planning condition which would secure the mitigation plan with a revised plan to demonstrate the extent of reptile exclusion fence to be erected and maintained throughout the construction period, can be used. The receptor site for any reptiles that have to be moved from the site must be included in the GI masterplan to secure future management in line with other GI management. Gardens and landscaping will be able to be recolonised by Common Reptiles when works are completed.
- 5.4.7 22 species of bird were recorded at the site on a casual basis in line with Extended Phase 1 methodology. Several of these species are identified as Section 42 species including Song Thrush, Bullfinch, Linnet and House sparrow. Impacts on these birds are likely to result from a loss of scrub, loss of undisturbed habitat and an increase in predators such as domestic cats. Nesting opportunities can be provided for House sparrow in the new build elements of scheme and the other species of bird will benefit from appropriate woodland and site management in accordance with a detailed Green Infrastructure Management Plan.
- 5.4.8 Greater than 14 species of invertebrate were recorded at the site during the extended phase 1 survey. The mosaic of habitats including the ancient woodland provides valuable habitats for these. Two Section 42 species of Principle Importance for conservation in Wales were identified at the site. Both of these species are most likely associated with the open areas of grassland in the northern area of the site, one of which appears to be at risk of loss from development. Future management improvements to grassland / woodland mosaics at the site could compensate for this

but must be secured by a wider GI Management Plan which includes grassland habitats outside of the red line (within the blue line).

- 5.4.9 Japanese knotweed has been identified on site and a removal plan should be conditioned to ensure that it does not affect the residential development or habitats on site in the long term.

5.5 Green Infrastructure (GI)

- 5.5.1 There are clearly real benefits in the proposals that have been put forward and the scheme offers some exciting opportunities. The setting of the listed building and parkland, the rich biodiverse habitats at the site and its close proximity to other high quality green infrastructure make it a development which will be able to market on the basis of high quality GI setting.

- 5.5.2 A Green Infrastructure Management Plan (ecology) has been prepared for the site however this is only relevant to ecology and does not cover other Green Infrastructure such as landscape or access and connectivity. The extent of the plan is also insufficient as it should cover the potential reptile receptor site. As such a condition requiring a more comprehensive GI Management Plan would need to be attached to any consent if the Council is minded to grant. This should seek to increase floristic value of amenity grassland by over-sowing with species such as yellow rattle or use of native lawn mixes on areas that need to be regularly managed. Management for the woodland should aim to positively manage the woodland considering its character and promote good structure and longevity. Management should be carefully designed by an experienced habitat management expert. It could focus on the removal / thinning of the plantation areas to remove species such as turkey oak and create a woodland / grassland mosaic with a scrub interface.

- 5.5.4 Trees and woodland have where possible been left out of private ownership to prevent their degradation which is good practice. It is welcomed that the bat roosts are included in the GI Management plan for the site. It will need to identify the trees that have been identified as bat roosts and those that have been identified as having high bat roost potential.

- 5.5.5 The GI Management Plan should include the parkland area at the south of the site as an open space for residents. Subject to conditions the proposed development is considered to be acceptable having regard to Policy GI1 of the LDP.

5.6 Landscape Impact

- 5.6.1 The proposal is located within the settlement of Abergavenny on rising land below the Sugar Loaf and forms an intermediate between the flat valley floodplain and the steep valley sides. The walled garden is listed and the grounds are registered as a grade 2 historic park and garden. The whole of the site sits within the Abergavenny Conservation area. It is identified under LANDMAP as a landscape of outstanding value for its cultural aspect, moderate value for its historical and visual and sensory aspects (as LANDMAP places the site just within the modern built form of Abergavenny) and low value for its Landscape habitats and geological value.

- 5.6.2 The site is extensively screened by mature trees and woodland on all sides and therefore the impact of the relatively low density housing on the wider landscape will be limited. Concerns have been raised by Cadw and the Council's landscape officer particularly in relation to the proposed housing to the north west of the site. This part of the site offers the greatest opportunity for new build houses and contributes heavily

to the viability of other parts of the proposal; most notably the conversion of the original dwelling and removal of modern extensions. As a result of the requirement to retain the majority of the trees in this area, the layout of the proposed housing on this part of the site is relatively low density and the house types, although they could be considered 'standard', are considered to be in keeping with the semi-rural setting. Given the need to provide new homes and the benefits to the wider historic park and the original house that will be afforded as a result of a viable development, it is considered that the proposed layout and house design on this part of the site are acceptable from a planning point of view.

5.7 Trees

5.7.1 In 2012, interest was shown in developing the land to the west of the house. This resulted in the issue of a tree preservation order (TPO) on many of the trees in this part of the site. Of particular note are three veteran Sweet Chestnut trees, two of which situated on the western edge of the main car park, and are old, gnarled specimens which have substantial value both architecturally and in terms of their importance for biodiversity. The third is situated within regenerating woodland to the north of the former car park area is still relatively intact and is simply massive. The retention of these trees and their use as focal points for the development is welcomed.

5.7.2 The woodlands to the north of the site between the house and Deri Road, plus the woodland in the south eastern corner of the site are remnants of Ancient Semi- Natural Woodland (ASNW) and are listed on The Ancient Woodland Inventory of Natural Resources Wales. ANSW is woodland that has developed naturally and been in continuous existence since 1600AD. Because of their longevity ASNWs contain relatively undisturbed soil upon which communities of flora and fauna unique to a particular woodland depend for their survival. Development in this area of the site has therefore been avoided but the manner in which the woodland is managed in the future will have to form part of the Green Infrastructure Management Plan.

5.8 Public Rights of Way

5.8.1 The Active Travel (Wales) Bill requires local authorities to continuously improve facilities and routes for pedestrians and requires new road schemes to consider the needs of pedestrians and cyclists at design stage. In their response the Council's GI Team stated that they were concerned about the lack of pedestrian/cycle access into the site of the proposed development and the security and maintenance of the proposed pedestrian access within it. Whilst secured public access to and within the entire site would be a benefit to both local residents and the wider public, the development has been designed to provide residents with high standards of privacy and security usually associated with a gated development; notably the retirement homes and apartments at the east of the site. Therefore although there will be opportunities for occasional public access to the site and walled garden, it is not considered that unrestricted access would be appropriate in this case and cannot be insisted upon.

5.9 Residential Amenity

5.9.1 The site is generally self-contained and therefore the development will only have significant impact on the existing neighbouring occupiers of The Lodge and Pen y Hill House which are located within the site boundaries. Plot 1 which is the dwelling closet to The Lodge has been designed to have no windows overlooking this dwelling. No dwellings are proposed within closed proximity to Pen Y Hill House.

The impact of the proposed development on neighbouring occupiers at Hillside to the east will be minimal given the mature tree screen around the periphery of the site together with the 1.8m stone wall.

5.8.2 Within the site, the width of the access road and pedestrian footpaths along with car parking and defensible space at the fronts of the proposed dwellings help achieve consistently acceptable separation distances between dwellings and habitable rooms to ensure that normal standards of privacy are met.

5.9 Section 106 Heads of Terms

5.9.1 Policy S4 requires that the 35% of the total number of new dwellings proposed are affordable which would equate to 15.05. The application proposes 12 new build affordable dwellings which is a shortfall of 3.05 units. As such, it has been agreed that a commuted sum for affordable housing in the area be a part of any Section 106 Agreement. In this case the figure has been calculated on the assumption of 2 x two person 1 bed flats and 1.05 x three person two bed bungalow which is a contribution of £179,616

5.9.2 A contribution towards provision and maintenance of public open space is required for all new development. This equates to £882 per dwelling for children's play provision (this would not apply to the affordable houses or those for persons over 55 years of age) and £3,132 per dwelling for adult recreation provision (not applicable to the affordable units).

5.9.3 Given that money paid for the site by the developers will go directly to funding education, no additional contribution will be sought via a Section 106 Agreement.

6.0 **RECOMMENDATION: APPROVE**

Conditions:

1	This development shall be begun within 5 years from the date of this permission.
2	The development shall be carried out in accordance with the list of approved plans set out in the table below.
3	All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.
4	A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority and shall include details of the arrangements for its implementation this shall be integrated into the GI management Plan.
5	A Green Infrastructure Management Strategy Plan shall be submitted to, and be approved in writing by, the local planning authority prior to

	<p>the commencement or occupation of the development. The content of the Management Plan shall include the following;</p> <ul style="list-style-type: none"> a) Description and evaluation of Green Infrastructure assets to be managed. b) Trends and constraints on site that might influence management. c) Aims and objectives of management. d) Appropriate management options for achieving aims and objectives. e) Prescriptions for management actions. f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty-year period). g) Details of the body or organization responsible for implementation of the plan. h) Ongoing monitoring and remedial measures. <p>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. 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.</p>
6	<p>No development (including, for the avoidance of doubt, any demolition, ground works, or site clearance) shall take place until a protected species (bats) method statement for works has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include, as a minimum:</p> <ul style="list-style-type: none"> a) the purpose and objectives for the proposed works; b) a timetable for implementation demonstrating that works are aligned with the proposed phasing of construction; c) measures to avoid killing and injuring bats during works; d) the use of materials (such as timber and roofing membranes); e) details of the persons responsible for implementing the works; f) the positioning, size, type and location of bat roosting provision; g) the positioning and size of entrances of bat mitigation; and h) initial aftercare and long term maintenance (where relevant). <p>The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.</p>
7	<p>Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be installed until an appropriate lighting scheme has been submitted to the Local Planning Authority and approved in writing. The strategy shall include:</p> <ul style="list-style-type: none"> a) lighting type, positioning and specification b) drawings setting out light spillage based on technical specifications <p>The strategy must demonstrate that bat roosts, including roost compensation and enhancements and key bat flight lines are not illuminated. The scheme shall be agreed in writing with the LPA and implemented in full.</p>

8	No removal of hedgerows, trees or shrubs brambles, ivy and other climbing plants or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.
9	Prior to tree works, a Method statement for the safe removal of the tree shall be submitted to the LPA for approval in writing. The method statement shall include; a) Methods in accordance with Best Practice to assess the trees for presence/absence of bat roosts b) Methods in accordance with Best Practice to sensitively undertake work to trees with bat roost potential including climbing and section felling under the supervision of a licenced bat worker c) Measures and actions to be undertaken if roosts are identified at any time. The method statement shall thereafter be implemented in full.
10	Prior to the commencement of works, a scheme of ecological enhancements to include detail of nesting bird and roosting bats enhancements to be incorporated into the fabric of the buildings and positioned on trees shall be submitted to the local planning authority for agreement in writing. The scheme shall thereafter be implemented in full.
11	The development shall be carried out in strict accordance with the submitted Reptile Strategy: TerrAqua Ecological Services, Reptile Mitigation Strategy for The Hill, Abergavenny, Monmouthshire for Edenstone Homes October 2015. Reason: to ensure that animal species which come within the terms of The Wildlife and Countryside Act 1981 and Natural Environment and Rural Communities Act 2006 are effectively protected.
12	Prior to the commencement of works, an updated reptile exclusion fencing plan shall be submitted to the LPA for approval in writing.
13	A full Tree Survey accordance with British Standard 5837:2012 - <i>Trees in relation to Design, Demolition and Construction</i> Recommendations.
14	Prior to commencement of development a Tree Protection Plan and Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out strictly in accordance with the agreed details.
15	No development, including demolition, shall commence until an Arboriculturalist has been appointed, as first agreed in writing by the Local Planning Authority, to oversee the project for the duration of the development and who shall be responsible for – 1) Supervision and monitoring of the approved Tree Protection Plan; 2) Supervision and monitoring of the approved tree felling and pruning works; 3) Supervision of the alteration or temporary removal of any Barrier Fencing; 4) Oversee working within any Root Protection Area; 5) Reporting to the Local Planning Authority;

	6) The Arboricultural Consultant will provide site progress reports to the Council's Tree Officer at intervals to be agreed by the Council's Tree Officer.
16	No development shall take place until a scheme of foul drainage and surface water drainage has been submitted to, and approved by, the Local Planning Authority. The scheme shall provide for the disposal of foul, surface and land water, and include assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.
17	Prior to the commencement of the development hereby approved a notice shall be given to the local planning authority. (a) stating the date on which the development is to begin; (b) giving details of the planning permission and of such other matters as is required by Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended ("the Order"). REASON: To comply with the requirements of Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning (Wales) Act 2015.
18	Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A B C D E F & H of the Town and Country Planning (General Permitted Development)(Amendment)(Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) no enlargements, improvements or other alterations to the dwellinghouse or any outbuildings shall be erected or constructed.
19	Notwithstanding the approved plans, the roof material used for the conservatories on plot numbers 11, 12 and 13 shall be solid. Details of the roofs shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the dwelling houses on each of the aforementioned plots.
20	No works to any part of the existing stone boundary wall around the site shall be undertaken without the prior agreement of the Local Planning Authority.

Informatives:

Major Development - Any person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a copy of any notice of the decision to grant it, in accordance with Schedule 5B to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended and Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning (Wales) Act 2015.

Bats - Please note that Bats are protected under The Conservation of Habitats and Species (as amended) Regulations 2010 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. We advise that the applicant seeks a European Protected Species licence from NRW under Regulation 53(2)e of The Conservation of Habitats and Species (Amendment) Regulations 2012 before any works on site commence that may impact upon bats. Please note that the granting of planning

permission does not negate the need to obtain a licence. If bats are found during the course of works, all works must cease and the Natural Resources Wales contacted immediately.

Nesting Birds - No removal of hedgerows, trees or shrubs that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reptiles – Please note that all reptiles are protected by the Wildlife and Countryside Act 1981 (as amended). It is illegal to intentionally kill or injure Adder, Common lizard, Grass snake or Slow worm. If reptiles are found at any time during clearance or construction, all works should cease and an appropriately experienced ecologist must be contacted

Japanese Knotweed - Please note that Japanese Knotweed is an invasive species and that there are several pieces of legislation relating to the control of the plant including the Wildlife and Countryside Act 1981 (as amended) and the Environmental Protection Act 1990. It is an offence to allow the spread of the plant and for incorrect disposal.

Street Naming/Numbering - The Naming & Numbering of streets and properties in Monmouthshire is controlled by Monmouthshire County Council under the Public Health Act 1925 - Sections 17 to 19, the purpose of which is to ensure that any new or converted properties are allocated names or numbers logically and in a consistent manner. To register a new or converted property please view Monmouthshire Street Naming and Numbering Policy and complete the application form which can be viewed on the Street Naming & Numbering page at www.monmouthshire.gov.uk. This facilitates a registered address with the Royal Mail and effective service delivery from both Public and Private Sector bodies and in particular ensures that Emergency Services are able to locate any address to which they may be summoned.