

DC/2013/00349

A CHANGE OF USE OF THE PUBLIC HOUSE GROUND FLOOR TO A RETAIL USE AND A CAFE. CONVERSION AND ALTERATION OF THE FIRST FLOOR OF EXISTING PUBLIC HOUSE TO PROVIDE A FLAT. AMENDMENT TO THE DESIGN OF THE PROPOSED NEW DWELLINGS IN THE CAR PARK TO FORM A PAIR OF DUPLEX APARTMENTS.

THE BRIDGE INN, BRIDGE STREET, CHEPSTOW NP16 5EZ

RECOMMENDATION: APPROVE

Case Officer: David Wong

Date Registered: 05/08/2014

1.0 APPLICATION DETAILS

- 1.1 The Bridge Inn is a Grade II Listed Building. The Bridge Inn is a 3 storey end of terrace building that has both two storey and single storey additions. The site is located within Chepstow's town centre and is located at the junction between Bridge Street and The Back, fronting both highways. The site has an existing vehicular access off The Back and it is proposed to utilise this, along with some minor alterations to the siting of the actual access of the site, serving the proposals.
- 1.2 The proposed scheme comprises the development of 2 no. two bedroom apartments in the existing car park, with the ground floor of the Public House to be converted to form a café and a retail unit. The first floor of the Public House would be converted to a two bedroom flat with the second floor being retained as a one bedroom flat. The site is situated alongside the River Wye, off The Back. The applicant has demonstrated that there is an existing flat at the second floor.
- 1.3 The car parking is located to the east of the public house and the site lies within Flood Zone C1. Owing to the flood risks, the two new build apartments do not have ground floor accommodation and as such all living space is located at first floor level and above.
- 1.4 The apartments would be finished in timber, stone and brick with a metal standing seam roof. The design of these apartments is contemporary and is considered to be a modern interpretation of the type of warehouse structures that would have once been prevalent alongside the river. The apartments are rectangular with an overall height of some 8.1m to the ridge, 11m in width and 11m in depth. There are no significant physical alterations to the external appearance of the public house. However, a large outbuilding is required to be demolished as part of the proposals.

2.0 RELEVANT PLANNING HISTORY

M/9685 - Addition of 5 No Letting Bedrooms. Refused 31/03/2004
M/00086 - Extension at Rear to Cover In Existing Courtyard, General Internal Alterations. Approved 03/12/1996
GW20952 - Internal Alts. & Extensions. Approved 14/12/1983

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 - Spatial distribution of new housing provision
S12 – Efficient resources 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 in main towns
EP1 - Amenity and environmental protection
DES1 - General design consideration
HE1 - Development in conservation areas
MV1 Proposed developments and highways considerations

4.0 REPRESENTATIONS

4.1 Consultations Replies

4.1.1 Chepstow Town Council – Refuse.

The design of the proposed cottages would be out of character within the area, and the detrimental impact of the development on the amenity space provided by the refurbishment of the riverbank.

4.1.2 Glamorgan Gwent Archaeological Trust – No objection; there remains a possibility that the groundworks associated with the proposal will encounter archaeological remains and a condition requiring an archaeological watching brief is to be conducted during the groundworks for the development

4.1.3 Natural Resources Wales – In our previous response to you (reference CAS-11237-V6Q2, dated 23 October 2015) we advised that the FCA had not demonstrated that the consequences of flooding can be acceptably managed over the lifetime of the development, and objected to this application.

The amended details show the two proposed cottages in the car park being replaced with a pair of duplex apartments with cycle and refuse storage on the ground floor. As such an updated FCA, prepared by R J Fillingham Associates Ltd, dated June 2016 has been submitted to

assess the risks and consequences of flooding to the latest proposal. We note a Planning Statement Addendum has also been submitted.

A1.14 of TAN15 is clear in that all new development should be flood free during the 0.5% (i.e. 1 in 200 year) plus an allowance for climate change annual probability flood event (2115). The updated FCA states that the maximum achievable finished floor level for the proposed duplex apartments is 8.80m AOD due to site constraints and other considerations. The predicted 0.5% flood level plus climate change (2115) at the site is stated at 10.9m AOD. Therefore the proposed duplex apartments are predicted to flood to depths of up to 2.1 metres in the 0.5% plus climate change event (2115). This does not meet the criteria of A1.14 of TAN15.

The FCA highlights that the site lies within an area of the floodplain that benefits from flood defences. The protection these defences provide is only for the 0.5% current day scenario and does not provide protection over the lifetime of development up to 2115. The FCA has concluded that the new duplex apartments will be at risk of flooding but highlights that the living accommodation associated with the new apartments will remain flood free through the layout of the building i.e. the cycle and refuse storage on ground floor. TAN15 also requires applicants to assess the extreme flood event, in this case the 0.1% (i.e. 1 in 1000 year) plus an allowance for climate change annual probability flood event (2115). This event should be assessed against the criteria in A1.15 of TAN15. No assessment of the 0.1% plus climate change event (2115) has been included in the FCA. However, from the information in the FCA we can advise that the predicted flood depths to the proposed duplex apartments themselves (i.e. property) could be up to 2.6m AOD, which is above the tolerable conditions set out in A1.15 of TAN15. We are unable to provide advice on the other criteria of A1.15 due to the lack of assessment.

We note this element of the application remains unchanged. At present the public house includes an element of highly vulnerable development (i.e. housing) on the upper floor. On balance, recognising this and the change of use nature of the proposal, we do not object to this element of the application. However, your Authority should be aware that the FCA confirms that the finished floor level for the first floor flat as being 10.72m AOD. Based on this level the flat could be effected by flooding in the 0.5% plus climate change event (2115) by depths of 18cm.

- 4.1.4 MCC Planning Policy – I refer to the above amended application for a change of use of a public house to retail and café on ground floor, conversion and alteration of first floor to provide a flat and the amendment of design of two new dwellings to duplex apartments. The development of the site meets the requirements of Strategic Policy S1 and Policy H1 in principle, subject to detailed planning considerations. The Affordable Housing Supplementary Planning Guidance was adopted in March 2016 and should also be referred to.

Policy MV1 should also be referred to. The application form refers to the provision of seven car parking spaces, noting that while it is at deficit, its town centre location suggests there is less need. It is noted that the site is located close to a bus stop and two public car parks, it should nevertheless be determined whether the proposal satisfies the requirements set out in the Monmouthshire Parking Standards SPG (2013).

The site is located in Zone C1 floodplain, Strategic Policy S12 and supporting development management Policy SD3 relating to Flood Risk are therefore of relevance. The conversion of the public house to retail/café use on the ground floor and residential on the first floor complies with Policy SD3 in principle. However, strictly speaking the new build element of the proposal is contrary to Policy SD3 as it does not relate to the conversion of existing upper floors. It is necessary to consider whether the proposal satisfies the justification tests outlined in Welsh Government Guidance in TAN15. In this respect the proposal represents a 'windfall' brownfield development within the existing settlement boundary that contributes to meeting the housing targets set out in LDP Policy S2 and thereby assists in achieving the objectives of the LDP strategy. It is also noted a revised Flood Consequences Assessment has been submitted and it must be considered whether the FCA sufficiently demonstrates to the satisfaction of the NRW whether the risks and consequences of flooding can be acceptably managed. In this respect, compliance with national policy in TAN15 may be considered to be sufficient to outweigh any potential non-compliance with Policy SD3.

The site is located within the Chepstow Conservation Area, Policy HE1 must therefore be referred to. The conversion also relates to a Grade II Listed Building and the new build development will be located in its setting, as there is no specific local planning policy in relation to listed buildings it is important to ensure DES1 in relation to General Design is considered along with Chapter 6 of Planning Policy Wales (PPW) relating to Conserving the Historic Environment. This chapter of PPW should also be referred to due to the site's location within an Area of Special Archaeological Sensitivity. Policy EP1 should also be taken into consideration.

- 4.1.5 MCC Conservation – no objection to the proposal.
- 4.1.6 SEWBREC Search Results – No significant ecological record found on site.
- 4.1.7 MCC Highways – The proposed development comprises the 2 development of 2 x 2 bed cottages in the existing car park, with the ground floor of the public house to be converted to form a café and a retail until. The 2nd floor of the public house would be converted to a 2 bed flat with the 3rd floor being retained as is. The site in its existing form

has an existing off-street car park for a maximum of 8 vehicles and it is proposed to retain the 8 car parking spaces for the proposed development.

In accordance with the Monmouthshire Parking Standards 2012 the site in its existing form requires parking provision for 34 car parking space and the proposed development requires provision for 22 car parking spaces. In both scenarios the existing car parking provision of 8 spaces is below the requisite standard.

Taking into consideration that the proposed development demands less parking provision than its current use and the fact that the site has functioned historically under its current use with no reported problems and its close proximity to the Town Centre and nearby public car parks, the development will not exacerbate the existing situation to the detriment of highway safety.

In light of the aforementioned comments there are no highway grounds to sustain an objection to the application subject to the existing level of parking being maintained in perpetuity.

4.2 Neighbour Notification

There are eight objections received:

Loss of character of the Conservation Area.

The proposed design is out of character to the character of The Bridge Inn in design and appearance.

A new building would look out of character with this part of the lower conservation area in Chepstow with the historic Wye Bridge and the grade II Bridge Inn

The proposal would have a detrimental visual impact on the 1816 cast iron Wye Bridge along with the grade II listed Bridge Inn and other listed buildings surrounding.

The proposal is overpowering and is within close proximity of the river and footpath.

The proposal would increase traffic generation in this part of the riverbank area.

Access from the front doors would lead straight onto road with no pavement.

The increase in traffic generation on a small space when turning into the riverbank area off the main road and with the added increase of pedestrians visiting a now very popular social space could increase the possibility of an accident.

The proposal will overlook 5 St Ann's Street and Somerset Cottages.

Lower Chepstow and the riverbank is a conservation area and this large new building proposed and its visual impact is not in keeping with the character or appearance of the area.

The additional vehicles that will be attracted to the riverbank area are also a cause for concern, particularly during the summer months when families and school trips are regular visitors to the area.

There is no objection to the proposal of the conversion to flats within the main Bridge Inn building.

The proposal will affect my enjoyment of the area and not enough people know about this potential development.

The first thing that you would see when entering into Chepstow over the Wye Bridge would be a building that isn't in keeping with the area.

The proposal is within close proximity to the river and would surely bring safety issues to those using the footpath.

There are enough new properties in this area already.

Losing the Bridge Inn is never a good idea.

This is a well-used open area; the adjacent river and footpath will be harmed by a sense of enclosure created by the overwhelming scale of this building.

The proposal does not preserve or enhance the character and appearance of this Conservation Area.

5.0 EVALUATION

The main issues are:

Principle of Development having regard to the Local Development Plan

The impact of the proposal upon the character or appearance of Chepstow Conservation Area

Effect on the listed building

Neighbour amenity

Highway issues

Biodiversity

Flood

Other issues

A response to the Town Council

5.1 Principle of Development having regard to the Local Development Plan

5.1.1 Policy H1 of the Local Development Plan (LDP) applies as the proposed site is within the Chepstow Town Development Boundary. In such an area planning permission would normally be granted for residential development subject to detailed planning considerations.

5.2 Effect on the character and appearance of the Chepstow Conservation Area

5.2.1 Policy HE1 of the LDP applies as the site is within the Chepstow Conservation Area. Properties in this part of Chepstow are of diverse character and layout with a variety of architectural designs and plot sizes, and it is considered there is no single, distinct character to influence the scale, mass or design of the proposal. The site is highly visible from the public realm. Also, the proposal relates to land within the curtilage of a Grade II listed building. As such, the Council's Conservation Team has been consulted.

5.2.2 The Council's Conservation Team has offered no objection to this proposal. The overall scale and bulk of the new apartments would complement The Bridge Inn and the adjacent properties. However, the siting of the new apartments would be set away from The Bridge Inn itself and the use of 'secondary' natural materials i.e. timber cladding with bricks on the principal elevation of the apartments would mean that The Inn would remain the dominant feature on site. The appearance of the proposal is contemporary and would add interest to this part of the River Wye corridor; a contemporary design approach was applied to the housing development along Lower Church Street, nearby. A condition would be imposed so that the detail of the materials and finishes would be presented to and approved by the Development Management Section prior to commencing development.

5.2.3 There is no doubt that the proposal would alter the 'streetscape' of this part of the Chepstow Conservation Area. However, it is considered that the proposed apartments would form part of a cluster of properties of different styles, ages and designs, and so would not adversely affect the character of the area. The overall density of development and spacing of this proposal is comparable with some of the properties in the vicinity.

5.2.4 It is considered that the proposal would have some visual impact upon the setting of the area, although given its layout, scale, appearance and design, this would be positive. To conclude, the overall character and appearance of this part of the Conservation Area would be enhanced by this contemporary addition, in accordance with Policies HE1, DES1 and EP1 of the LDP and the thrust of Chapter 6 of Planning Policy Wales (PPW), as well as meeting the statutory duty in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5.3 Effect on the listed building

5.3.1 The Bridge Inn is a Grade II listed building. Thus, any proposed development within the curtilage of the listed building must relate sensitively to the parent building in terms of its scale, location, design, detail and materials and avoid dominating the parent building's appearance as advised within national policy guidance for listed buildings.

5.3.2 It is considered that the proposed development will have some visual impact on the setting of The Bridge Inn in terms of the proposal's size and proximity. However, the appearance of the proposed apartments is contemporary and, as referred to above, would be finished in 'secondary materials' to underline its subservient relationship to the Inn. In addition, the new apartments would be set away from The Inn; this gap allows a 'breathing space' for the 'parent' building.

5.3.3 It is acknowledged that the proposed apartments are relatively large buildings but the mass of the proposal is comparable to some of the nearby properties and moreover, would be set away from the Bridge Inn.

In addition, it is noted that there is no predominant style or grain of adjacent development, with properties having been built at different times and in different styles. The Council's Conservation Team has advised that the design of the proposal will not be in direct competition with the listed building, it being designed to be from its own time as a quality building as opposed to modern pastiche. This is considered an acceptable approach in this context. Given the above, it is considered that this application complies with the national policy for listed buildings, and the listed building's character or appearance and its setting would be preserved.

5.4 Neighbour amenity

5.4.1 There has been an objection from neighbours that the proposed apartments would have an overbearing impact. It is considered that the separation distance between the existing neighbouring properties and proposed apartments would be sufficient (i.e. greater than 21m) to ensure that the proposed apartments would not have an unacceptably overbearing effect, or that the outlook from the neighbouring properties would be unacceptably affected.

5.4.2 With regard to light, the proposed apartments would be set well away from the neighbouring properties to the south of the site and due to the orientation of the site (in relation to the neighbouring properties), the proposed apartments would be unlikely to cause any unacceptable loss of light to the neighbouring properties.

5.4.3 In terms of overlooking, it is considered that the separation distance between the existing neighbouring properties and proposed apartments would be sufficient to ensure that the proposed apartments would not have an unacceptable effect. Given the above, it is not considered that any impact on neighbour amenity would be so harmful as to warrant refusal of this application.

5.5 Highway matters

5.5.1 Under the current proposal, seven spaces are be proposed for residential purposes with one space for the proposed commercial units. As part of the submitted Planning Statement, the agent has demonstrated that (based on adopted parking standards) the existing uses require more parking spaces than the proposals. Highways advised that whilst the proposal does not meet local standards there is indeed betterment from the reduction in the overall requirement. In addition, the site is located in the town centre and is within walking distance of a bus stop. Furthermore, there are two public car parks located within 250m of the site. Given the above, there is no objection to this element.

5.6 Biodiversity

5.6.1 Having checked the local ecological records there is no significant ecological activity identified on site. The submitted Bat Scoping Survey informs that the surrounding habitat is suitable for bat usage, particularly the riparian corridor on the opposite bank of river. The desktop survey identified 29 bat records within the search buffer. However, there are no records relating to the actual site. There will undoubtedly be bat foraging activity around the proposed development site in summer, but there is no evidence that bats have ever interacted with this building in any way. Given the above, no further information is requested.

5.7 Flood

5.7.1 The site is located in Zone C1 floodplain, and Strategic Policy S12 and supporting development management Policy SD3 of the LDP relating to Flood Risk are therefore of relevance. The conversion of the public house to retail/café use on the ground floor and residential on the first floor complies with Policy SD3 in principle and there is no objection from NRW. However, strictly speaking the new build element of the proposal is contrary to Policy SD3 as it does not relate to the conversion of existing upper floors. It is necessary to consider whether the proposal satisfies the justification tests outlined in Welsh Government Guidance in TAN15. In this respect the proposal represents a 'windfall' brownfield development within the existing settlement boundary that contributes to meeting the housing targets set out in LDP Policy S2 and thereby assists in achieving the objectives of the LDP strategy. NRW objects to the new build element as the ground floor cycle and refuse storage area of the proposed apartments would flood during the 0.5% (i.e. 1 in 200 year) plus an allowance for climate change annual probability flood event (2115).

5.7.2 However, the ground floor level of the proposed apartments will be used as a cycle and refuse storage area, which is no different to the existing use of the site (a car parking and storage area for the public house). In addition, the proposals demonstrate that the living accommodation associated with the new apartments will remain flood free. In addition, the vehicle access to the site is in Zone C1 land and so the proposals are on an area of the floodplain that benefits from flood defences. Given the above, compliance with national policy in TAN15 is considered to be sufficient to outweigh any technical non-compliance with Policy SD3.

5.8 Other issues

5.8.1 There is no objection from Glamorgan Gwent Archaeological Trust. However, there remains a possibility that the groundworks associated with the proposal will encounter archaeological remains. Therefore, a condition is proposed requiring an archaeological watching brief to be conducted during the groundworks for the development.

5.8.2 Strategic Policy S4 of the LDP refers to financial contributions to the provision of affordable housing in the local planning authority area for

proposals below these thresholds. However, this application was submitted in 2013, under the consideration of the Unitary Development Plan (now, superseded by the LDP). However, the site is extremely sensitive i.e. within a Conservation Area, within the curtilage of a Listed Building, a flood zone and an archaeologically sensitive area. Due to these factors, there had been a series of long-term negotiation between the planning authority, the developer, the agent and NRW. Therefore, it is considered unreasonable to apply the affordable housing financial contribution requirements at this late stage.

5.8.3 Some objectors are concerned that there are safety issues as the proposed apartments will be situated within close proximity of the river and footpath, and there is no pavement along the front (northern) boundary of the site. However, The Back currently has no pavement and there is no objection from the Council's Highway Engineer regarding the access and egress proposed. It is acknowledged that the site is within close proximity to the river but this does not mean it cannot be developed. This is not a planning material consideration but the developer should consult their structural engineer prior to commencing development.

5.8.4 A comment was made about not enough people knowing about this proposed development. The adjoining neighbouring properties have been consulted directly. In addition, site notices were posted and the application was publicised on the local a newspaper. Thus, the application has been publicised in accordance with the statutory publicity procedures for such an application.

5.9 A response to Chepstow Town Council

5.9.1 The responses given in Sections 5.2 and 5.3 above address these concerns.

6.0 **RECOMMENDATION: APPROVE**

Conditions/Reasons

Standard 5 years for the development to commence.

The development shall be carried out in accordance with the approved plans (as listed in the table on the decision notice).

Sample of materials shall be submitted to the LPA and agreed in writing by the LPA prior to the development commence.

A detailed drainage scheme shall be submitted to the LPA and agreed in writing by the LPA prior to the development commence. The development shall be carried out in accordance with the approved details.

An archaeological watching brief is to be conducted during the groundworks for the development.

Permitted development rights parts 1 & 2 removed

Informatives:

Party Wall Act.

If any archaeological remain is found during the course of the development, please contact the Glamorgan Gwent Archaeological Trust immediately for more guidance. It should be brought to the attention of the applicant that in the event of a new or altered vehicular access being formed, the requirements of Section 184 of the Highways Act 1980 must be acknowledged and satisfied. In this respect the applicant shall apply for permission pursuant to Section 184 of the Highways Act 1980 prior to commencement of access works via MCC Highways.

Foul water and surface water discharges shall be drained separately from the site.

Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

Surface water drainage shall not be drained onto the adjacent highway.

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.