

**DC/2013/00349  
& DC/2013/00350 (application for listed building consent)**

**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- planning application; Amy Longford – application for listed building consent

Date Registered: 05/08/2014

## **1.0 ADDITIONAL INFORMATION**

- 1.1 This application was presented to Planning Committee on the 4<sup>th</sup> October 2016 with recommendation for approval. It was deferred back to officers to look at changing the design as members felt that the form of the development was not in keeping with the character of the surrounding area. Members requested a complete re-design.
- 1.2 The applicant was informed of Members requests and considered their position. The applicants have responded stating:

*The current scheme (as presented to Members at the October Planning Committee) is the result of collaborative working between the landowner and the Council heritage and planning officers. As such we feel that the approach proposed will be beneficial to the area and would be without detriment to the setting. As such I can confirm that the application should be again reported to Members for a decision to be made upon the scheme.*

*We note your request about a meeting to consider a revised design, however as above it is considered that given the need to elevate the living space to minimise flood risk that the present proposal represents the best design solution in this situation.*

- 1.3 Following submission in 2013 the application has been through extensive negotiation. It was initially proposed to build two new semi-detached dwellings of a basic design which was considered to be of a poor standard and did not reflect the character of the Conservation Area nor that of the setting of the listed building. In addition after the submission and clarification of the flooding information it became apparent that the buildings finished ground floor level would have to be 1.5m above the existing ground level, meaning that the cottages would appear to be raised up and completely out of character with the conservation area.

Chepstow Conservation Area Appraisal, identifies this part of the conservation area under character areas 4 stating, '*It is strongly characterised and well defined by its riverside location and views. This area was at the heart of the town's river trade, with ship building docks, wine warehouses, customs house, fishery and storage yards. Running east from the iron bridge an area of seating overlooking the river was Gunstock Wharf where timber was stacked for shipment. Stone built bark houses for the storage of oak bark for tanning were located in this area*'. This shows that the character of the area was industrial, rather than residential which is reflected by the retention of many buildings of this character, listed and unlisted.

- 1.4 Given the need to increase the ground floor levels so significantly and that the character of the conservation area is more industrial riverside, it was considered that a modern interpretation of warehouse style buildings would be more appropriate. The buildings have been designed in a contemporary manner, with simple detailing, clean lines and a small palate of materials that were abundant in this part of the Conservation Area. The scale and proportions follow existing buildings such as Cromwell House and Comice House along Bridge Street. This follows an approach taken in other parts of this character area, such as the new residential development of Lower Church Street.
- 1.5 Overall the proposals are considered to be in character with the Conservation Area and would not have a detrimental impact on the setting of the listed buildings, the Bridge Inn and the Iron Bridge.
- 1.6 However, if Members are minded to refuse the application on design grounds a reason for refusal is offered below:
  1. *The proposed new build element of the application is considered to present an unsympathetic design and provide an incongruous appearance in relation to the traditional, vernacular character of the surrounding built environment, designated as a conservation area. The proposal would fail to preserve or enhance the character and appearance of the Conservation Area, and would be contrary to Policy HE1 of the adopted Monmouthshire Local development Plan.*
- 1.7 Since the previous meeting of Committee Natural Resources Wales has provided clarity on its concerns regarding the flooding implications of the proposal.
- 1.8 NRW have set a response as follows:

"Thank you for your phone call earlier today querying our letters to the above consultation on 23 October 2016 and 30 August 2016. You noted the possible differences in predicted flood levels used in our advice. Therefore I've reviewed the two FCAs (September 2015 and June 2016 prepared by Filingham Ltd) submitted by the applicant. To confirm, the FCAs both use the same flood data sourced from us on 10/06/2015.

If you refer to Appendix C in the FCAs, you'll find the flood data request (ATI-07462a) which is the raw flood data that I explained to you on the phone earlier today. Table 4 provides the flood levels over various return periods, i.e. T25 (1 in 25 year) up to T200 (1 in 200 year) and T1000 (1 in 100 year). These predictions include climate change allowances (CCA). For tidal flooding such as this, residential development should apply 100 years life time of development for the climate change allowance. Therefore the 2115 year row in table 4 is relevant in this case:

1 in 200 year CCA = 10.9m AOD  
1 in 1000 year CCA = 11.4m AOD

These are the figures used in both FCAs and used by us in our latest letter on 30 August 2016 to assess A1.14 and A1.15 [reference to paragraphs in TAN15 containing key advice when assessing flood risk implications]. You will note on table 4 that the predictions include the 95% confidence bound. This is how uncertainty is factored into hydraulic flood modelling. 'Including' the 95% confidence bound is more precautionary.

However, in our letter on 23 October 2015, we provided you with the flood predictions excluding the 95% confidence bounds. We did this calculation ourselves.

We will respond to development proposals advising on flood predictions excluding the 95% confidence bounds (termed the design event) but recommend that consultants also consider flood predictions including the 95% confidence bound (termed the sensitivity event) in their FCAs to provide a full picture of flood risk.

The FCAs only use the more precautionary sensitivity event figures to assess flood risk.

So to confirm, the modelling at this location has design event and sensitivity event predictions which are:

**Design Event**

1 in 200 year CCA = 10.5m AOD  
1 in 1000 year CCA = 10.8m AOD

**Sensitivity Event**

1 in 200 year CCA = 10.9m AOD  
1 in 1000 year CCA = 11.4m AOD

I trust this clears up the confusion from our two letters. We have no objection with either the design or sensitivity events being used in this case.

Moving on, I should reiterate that the new duplex apartments should be wholly considered as new residential development, which should be wholly considered as highly vulnerable development. This approach is endorsed by a recent Appeal case in Queensferry, Flintshire (reference 3136858). I remind you that the aim of PPW and TAN15 is to advise caution in respect of new development in areas of high risk of flooding and direct new development away from those areas.

You also questioned the aims and differences of A1.14 and A1.15. Paragraph A1.14 sets a threshold frequency of flooding (in this case a 0.5% probability) below which flooding of the development should not be allowed. This development, using either the design or sensitivity event, does not meet this criteria.

The purpose of A1.15 is to assess how development would be expected to flood (beyond the threshold frequency in A1.14) under extreme conditions. This should be done by assessing the 0.1% flood event plus climate change allowance. The table in A1.15 provides indicative guidance on what is considered tolerable conditions in this event. The purpose of these conditions is to ensure that a development (in the presence of adequate flood warnings, preparation and appropriately equipped personnel being able to undertake emergency activities) can structurally withstand an extreme flood event and allow occupants to be evacuated or rescued if necessary. The development does not meet this criteria.

Finally, I note the officer's appraisal report states the proposals are on an area of the floodplain that benefits from flood defences. Although this is true, as stated in our letter on 23 October 2015, the defence is only designed to protect against flooding in the

current day scenario. By this we mean, in future, as sea levels will rise, flood events will start overtopping this flood defence. The level of the defence is approximately 9.6metres AOD.

In summary the proposal is not in compliance with national policy in TAN15 and this should be conveyed in the officer appraisal.”

MCC Officers’ response to these observations

It is acknowledged that the living accommodation on the first floor of the proposed new build element of this scheme would be likely to flood in an extreme event (1 in 1000 year event) up to 0.5m - the FFL of the proposed first floor new build accommodation would be 10.9m AOD while the extreme flood event is modelled to reach 11.4m AOD; the area below the living accommodation would be used as understorey parking and non-living accommodation and NRW has issues with this as property such as cars parked by the potential residents would be damaged by any flooding. Officers conclude that the proposal can be justified in this instance as the parking areas, while vulnerable, would be no worse a risk than the present situation whereby the site has a lawful use as a car park (for the pub).

In addition, the 0.5m flood level for the proposed first floor living accommodation from the extreme flood event would be within tolerance limits (indicative guidance) set out in TAN15 which considers flooding up to 0.6m high may be acceptable in particular circumstances (par. A.15). Flood proofing of the property can be advised on, and there would be reasonable time for flood warning as the flood threat here is tidal, not from potential fluvial or surface water flooding. Access onto nearby land which would not flood is easy and accessible.

## **REPORT SUBMITTED TO OCTOBER PLANNING COMMITTEE**

### **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.

## 4.2 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.