

**REDEVELOPMENT OF THE SITE TO CREATE A NEW NEIGHBOURHOOD INCLUDING:  
A RANGE OF NEW HOMES (APARTMENTS, HOUSES AND SOME SHELTERED  
ACCOMMODATION FOR THE ELDERLY – USE CLASSES C2 AND C3);  
NEW OFFICES AND WORKSHOPS (USE CLASS B1);  
NEW COMMERCIAL LEISURE FACILITIES (USE CLASSES A1 AND A3);  
THE RETENTION AND FLEXIBLE CHANGE OF USE OF BRUNEL HOUSE TO  
COMMERCIAL, RESIDENTIAL AND / OR COMMUNITY USES (USE CLASS A1, A3, B1,  
C2, D1 AND D2);  
A NETWORK OF OPEN SPACES INCLUDING A NEW RIVERSIDE LINEAR PARK,  
FOOTPATHS, PUBLIC OPEN SPACE AND AREAS FOR INFORMAL RECREATION;  
HIGHWAYS INFRASTRUCTURE INCLUDING ACCESSES AND PATHS;  
AND REQUIRING: SITE CLEARANCE AND DEMOLITION WORKS, TREATMENT AND  
PREPARATION, THE INSTALLATION OF NEW SERVICES AND INFRASTRUCTURE,  
THE CREATION OF NEW TREATMENT/AMENITY WETLANDS AND DRAINAGE  
CHANNELS, ECOLOGICAL MITIGATION AND ENHANCEMENT WORKS (INCLUDING  
IMPROVEMENTS TO THE BEAUFORT QUARRY) AND IMPROVEMENTS / WORKS TO  
THE HIGHWAYS NETWORK AND OTHER ANCILLARY WORKS AND ACTIVITIES**

**MABEY BRIDGE, STATION ROAD, CHEPSTOW**

**RECOMMENDATION: APPROVE**

Case Officer: Kate Young

Date Registered: 19<sup>th</sup> December 2014

## **1.0 APPLICATION DETAILS**

- 1.1 This is an outline application with all matters reserved except for access. The application covers a site area of approximately 20 ha and comprises the former Mabey Bridge engineering construction works including many industrial buildings, the former shipyard made up of four slipways, the former Beaufort Quarry (covering approximately 2.6 ha), Brunel House a Grade II listed building currently being used as offices and an industrial area at the far north of the site leased to Forest Sand Limited and R&B Skip Hire.
- 1.2 The site is within the Chepstow Development Boundary and has been allocated within the LDP as a Strategic Housing Site. The boundaries of the site are formed by the River Wye to the East and the main railway line to the west. The northern point of the site abuts the Brunel Bridge carrying the railway and the A48 Bridge. Underneath these, is an area of public open space and the beyond this is the Osborn housing site which is currently under construction. There is an existing vehicular access into the site from Station Road which passes under a Grade II listed railway bridge. The River Wye in this location is designated as a Special Area of Conservation (SAC), a Site of Special Scientific Interest (SSSI) and a RAMSAR site.
- 1.3 The application proposes a housing led, mixed use redevelopment of the site with the capacity to accommodate up to 600 new homes plus business/employment and commercial space. However, traffic flow data and viability assessment reflect development of the site for up to 450 residential units not 600, and a condition is proposed in this regard. The proposed housing will reflect a wide range of size, types and tenures in order to cater for the needs and demands of the local population. The final mix of housing (in terms of number, type and tenure) is to be determined through the reserved matters application and in consultation with the Council.

- 1.4 Three main development zones or character areas are proposed across the site. These areas will contain a mix of two and three storey development (although some four storey buildings may take place at key locations or focal points). Further information on the urban design vision and the concept behind these four different areas (New Chepstow, Shipyard, Slipways and Hardwick Cliffs) are provided in the DAS. Residential development has now been removed from the Slipways, one slipway will be retained and enhanced as a record to the site's former history and all four slipways would be incorporated into the public realm landscaping. The northern edge of the site is proposed for non-residential uses. Approximately 6,500 square metres of flexible workspace is being offered and Brunel House is to be retained and refurbished for potential commercial and community uses. Provision is also made for ancillary retail and food and drink uses to be developed at the site.
- 1.5 A substantial network of multi-functional dry and wet spaces is being provided to interconnect habitats for a range of flora and fauna. Public open space including a riverside boardwalk to link into the Wales Coast Path and a community nature reserve are being proposed. The plan also proposes a number of pedestrian/ cycle links connecting the site with the town centre. The application also includes improvements to the existing access and improvements to the A48 junction with Station Road, if the development should exceed 450 units. There will be one main access into the site from Station Road and a secondary access from the Osborn Site under the A48 and railway bridges. There will be a pedestrian link into Garden City from Hardwick Avenue and one adjacent to the quarry linking into Thornwell.
- 1.6 The application was accompanied by the following documents;
- A Design & Access statement
  - A Transport Assessment
  - A Flood Consequences Assessment
  - An Environmental Statement.

## **2.0 RELEVANT PLANNING HISTORY**

DC/1976/01131 Steel Framed building – Approved  
DC/1977/00121 Steel Framed Offices – Approved  
DC/1978/01062 Canteen, Offices and Aid Room – Approved  
DC/1978/01080 Temporary Office Building - Approved  
DC/1079/01091 Extension to road a Fabric workshop – Approved  
DC/1080/01259 Prefab building – Approved  
DC/1981/01225 Extension to Welding Building – Approved  
DC/1987/00947 Reinstatement of Birthing Facilities – Approved  
DC/1988/00156 Reclamation of Site to include Landfill and Demolition – Approved  
DC/2003/00356 Restoration following Extensive Fire Damage – Approved  
DC/2007/00498 Replacement Porta Cabins - Approved

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### Strategic Policies

S1 Spatial Distribution of New Housing Provision  
S3 Strategic Housing Sites  
S4 Affordable Housing Provision  
S5 Community and Recreational Facilities  
S6 Retail Hierarchy  
S7 Infrastructure Provision

S8 Enterprise and Economy  
S9 Employment Site Provision  
S12 Efficient Resource Use and Flood Risk  
S13 Landscape, Green Infrastructure and the Natural Environment  
S14 Waste  
S16 Transport  
S17 Place Making and Design

#### Development Management Policies

H1 Residential Development in Main Towns  
CRF2 Outdoor Recreation/ Public Open Space and Allotments  
SD2 Sustainable Construction and Energy Efficiency  
SD3 Flood Risk  
SD4 Sustainable Drainage  
RET4 New Retail Proposals  
E1 Protection of Existing Employment Land  
LC5 Protection and Enhancement of Landscape Character  
GI1 Green Infrastructure  
NE1 Nature Conservation and Development  
EP1 Amenity and Environmental Protection  
W1 Waste Reduction  
MV1 Proposed Developments and Highway Considerations  
MV2 Sustainable Transport Access  
MV3 Public Rights of Way  
MV9 Road Hierarchy  
MV10 Transport Routes and Schemes  
DES1 General Design Considerations  
SAH3 Fairfield Mabey Strategic Site

## **4.0 REPRESENTATIONS**

### 4.1 Consultations Replies

Chepstow Town Council – Approve

Request thorough consultation with all stakeholders as detailed plans are developed.

Chepstow Town Council - previous comments\_28/02/15

Defer making a recommendation until the issues raised by WG in relation to the Traffic Assessment have been fully addressed and concerns in respect of emergency access arrangements via Garden City have been resolved.

Welsh Government – Highways Division

The information now submitted in the form of highway mitigation is in accordance with that previously discussed with Welsh Government. Therefore I would advise that as highway authority for motorway and trunk roads, we have no objection to this development, subject to the new phasing highway mitigation proposals.

MCC Planning Policy (comments on the addendum)

The proposed scheme amendments are summarised in paragraph 4.2 of the ES Addendum as follows and are commented on as appropriate below:

- \* Development previously proposed on land between the slipways has been removed. This reflects detailed investigations of the condition of the land and structures in this area and comments on the heritage value of the slipways.
- \* A change to the environmental treatment of the slipway area. The proposal had been to create a lagoon which would run parallel to the river. This is no longer practical although a series of smaller ponds and wetlands are now proposed.
- \* The building line has been drawn back from the intertidal habitats, no area of which is now directly affected by the proposals.
- \* Minor amendments are proposed elsewhere to the environmental treatment proposed along the riverfront.
- \* Some changes to the number and position of the east-west green corridors. There is no change to the extent of these links or their purpose.
- \* An alternative approach has been proposed to highway network impact mitigation.

#### Dwelling Provision

A main revision to the scheme is the removal of development previously proposed on land between the slipways i.e. 'Slipway apartments'. This would act to generally reduce the extent of proposed development at the site and would result in 3 residential areas (New Chepstow, Steelyard and Hardwick Cliffs) rather than the 4 originally proposed. It also means that the tallest and highest density elements of the development are no longer proposed. Paragraph 4.3 of the ES Addendum states that up to 600 new homes will be constructed with house types varying from 1 bedroom flats to 4 bedroom houses. Question whether the site could still achieve 600 units given the removal of the Slipway apartments, which were proposed at a density of 80-85 dph, and given the reduced extent of development. It is noted that there is no proposed increase in density in the other 3 residential areas.

The revised DAS sets out details relating to urban design aspirations of the proposed residential areas which should be given further consideration. Policy DES1 General Design Considerations is applicable in this regard.

Paragraph 4.3 of the ES Addendum also makes reference to the provision of retirement or specialist housing at the site. We would welcome further details on this element of housing provision and reserve the right to comment accordingly.

#### Employment Land Provision

The ES Addendum (paragraph 4.3) refers to the provision of approximately 6,500 sq m of commercial space comprising office units and workshops (Use Class B1) and small scale retail/ food and drink floor space (Use Class A1 and A3). No further information has been provided subsequent to our previous comments on this matter. To reiterate, the amount of employment land proposed (approx. 0.65 ha) is less than the policy requirement of 2.88 ha set out in Policy SAH3 and further information on this element of the scheme has been requested in order to make an informed judgement against criterion b) of Policy SAH3.

#### Traffic

The revised scheme proposes an alternative approach to highway network impact mitigation. It is noted that this has been agreed with WG and involves a series of improvements that are triggered by various levels of development. No doubt MCC's Highways Department will provide detailed comments on this matter. The proposed revisions should comply with the policy requirements set out in criteria c) and d) of Policy SAH3, particularly in relation to air quality and pedestrian access to Chepstow town centre.

#### Landscape, Ecology and Cultural Heritage

As a result of the proposed revisions to the scheme, additional impact assessments relating to landscape, ecology and cultural heritage have been undertaken and reported in the ES

Addendum. No doubt the relevant Council officers will provide detailed comments on these matters.

#### MCC Planning Policy (original comments)

The principle of development is established through the site's allocation in the Monmouthshire LDP - Site Allocation Policy SAH3 Fairfield Mabey, Chepstow. This states that planning permission will be granted provided a number of criteria are met:

a) Provide around 350 dwellings during the LDP period. The application proposes a housing-led, mixed use redevelopment of the site with capacity to accommodate up to 600 new homes. This is 250 dwellings more than in the LDP allocation. It had always been recognised that a higher housing target for the site might have been achievable, particularly given its 'riverside' location that might encourage a higher density of development. The scale of development was limited, however, in order to restrict the rate of growth in Chepstow. If the increase in the number of dwellings is found to be acceptable in terms of design, layout, impact on infrastructure etc. then the development should be phased so that the additional 250 dwellings are provided beyond the plan period. The provision for 600 homes on the site would result in a very high density development (average 63 dwellings per ha) – whilst this is significantly greater than the policy requirement in Policy DES1 (i) it is recognised that the site is in a sustainable location and offers the opportunity to take advantage of sustainable travel. The four proposed residential areas range from 30-40 dph (New Chepstow) to 80-85 dph (Slipway), with 37-42 dph proposed at Steelyard and 48-52 dph at Hardwick Cliffs.

b) Provide for 3ha of serviced land for industrial and business development (Class B1) unless it can be demonstrated that a reduced area would be appropriate by means of an equivalent amount of other employment and wealth creating opportunities contributing to sustainable economic growth being provided within the development proposals. The information submitted with the outline application states that 'Commercial space with the opportunity to include offices and workshops and small scale retail/food and drink space'. Paragraph 4.2.5 of the Planning Statement notes that: 'the northern tip of the site is proposed for non-residential uses...approximately 6,500 sq. m of flexible workspace which will fall within use class B1 and will mainly comprise offices, together with other workshops and commercial space. This level of space is capable of meeting the employment aspiration set out in the LDP even if the amount of land it sits on is lower than that set out in policy.' The proposals also note that Brunel House will be retained / refurbished for potential commercial and community uses. Section 5.3 of the Planning Statement sets out the proposed quantum and mix of development, including further details of the 'employment workspace zone'. The amount of employment land proposed is clearly less than the policy requirement of 3ha set out in Policy SAH3. The Indicative Density and Heights Plan (appendix 3 of the Planning Statement) provides little detail on proposed location / area of employment uses – showing only 3 possible areas in the northern part of the site for 'residential friendly employment'. It is noted that Chapter 6 of the Environmental Statement provides evidence to attempt to demonstrate that the amount of employment space proposed (6,500 square metres) will achieve the site's job potential (400 jobs) as identified in the LDP. This appears to have been achieved by substituting B1 uses for the more general industrial use category used in the calculations made in evidence provided in the LDP process and it is agreed that more 'residential friendly' employment uses would be more desirable in connection with this site, given the aspirations for high quality development and high environmental standards set out in the application. The importance of retaining an element of employment use on the site was considered essential to the site's promotion through the LDP Examination process. Given the relatively high levels of out-commuting from Chepstow it is fundamental that the site provides an opportunity for new job growth to provide employment opportunities for Chepstow residents and reduce existing out-commuting. Policy SAH3's requirement for employment provision within the site was set out in the context of claims made throughout the LDP process that there would be no overall loss of employment opportunities in Chepstow because jobs at the Station Road site were to be transferred to the applicant's premises at Newhouse Farm. The recent

announcement that a number of the existing jobs at the Station Road site will actually be lost and that the jobs at Newhouse Farm are at risk, makes it even more important that appropriate employment provision is provided for at the application site. Further information on the proposed employment element of the development is required in order to make an informed judgement against criterion b) of Policy SAH3 and it will be necessary to ensure that this matter is effectively controlled through condition and/or legal agreement.

c) Demonstrate that traffic flows can be satisfactorily accommodated and air quality standards can be met in relation to highway network leading to the site and a S106 agreement has been signed that includes provision for any necessary off-site highway works to ensure that this is achieved. The TA submitted in support of the outline application suggests that the highway network can accommodate all of the development traffic without the need for further mitigation works. In particular, it is noted that minimal improvements are proposed to the Station Road/A48 junction (i.e. surface level crossings to increase its desirability as a pedestrian route to the town centre) which is at odds with the TAs submitted in support of the site through the LDP process which proposed substantial improvements to this junction (i.e. staggered traffic signal controlled crossroad junction of the A48/Station Road/Upper Church Street to increase the capacity of the existing junction). The LDP Inspector's Report states at paragraph 6.26 that the conclusion of the TA carried out in 2011 was that 'the traffic generated from 450-500 dwellings on site could be accommodated on the existing highway network. If development contributed to highway improvements up to 600 dwellings could be provided.' The TA makes reference to a Draft Interim Travel Plan at Appendix D of the document, however, this has not been attached. It would be useful to see sight of the travel plan and we reserve our right to comment accordingly. No doubt MCC's highway officer will provide detailed comments on these matters, including the robustness of the assumptions contained in the TA submitted with the outline application.

Air quality – it is noted that an air quality assessment has been carried out by Arup to inform the ES which found that no mitigation measures are necessary once the scheme has been developed as there is no impact and that at construction phase mitigation measures will negate any effects. It is considered that the removal of the commercial traffic currently serving the site should improve the air quality situation. It is, however, noted that the applicant is not proposing to progress the highway improvements that were proposed in support of the development through the LDP process which sought to improve traffic flows and reduce queuing. No doubt MCC's Environmental Health Officer will provide further comment on this matter.

d) Include provision for any necessary off-site works to improve pedestrian access to and from the site, particularly in relation to Chepstow town centre, and to assist in taking advantage of other opportunities for sustainable transport in relation to the proximity of the adjoining Chepstow railway station. The indicative plans set out in the DAS show a proposed pedestrian/cycle route along the site's eastern boundary ('riverside walk') and links to the town centre via the main access and to Garden City via the railway arch. The TA also states that new connectivity will be provided to Lower Chepstow via the Osborne Site and Hardwick Avenue. In view of the site's location it is essential that the development provides strong pedestrian / cycle links to the town centre and wider area in order to reduce reliance on the private car - Policy MV2 also applies. In this respect, any required financial contributions towards sustainable travel measures would need to be considered through the Section 106 provisions, as considered below. No doubt MCC's Highway Officer will provide detailed comments on this matter.

e) Make provision for a riverside walkway and cycling track subject to compliance with criteria f) and g) of Policy SAH3. It is noted that the outline application and supporting documentation make provision for new riverside pathway which runs the length of the site's eastern boundary.

Its compliance with criteria f) and g) will no doubt be considered by MCC's biodiversity and landscape officers.

Criteria f), g), h), i), j) and k) relate to biodiversity issues which were included in response to the recommendations of the Habitats Regulations Assessment Report on the site. It is noted that a range of ecological surveys have been carried out in support of the application. MCC's biodiversity officer will no doubt provide detailed comments on these aspects of the policy criteria.

Criterion l) requires that no highly vulnerable development takes place in those parts of the site that are within the designated C2 flood zone and that no other development takes place in C2 flood zone unless a FCA has been carried out that demonstrates that the consequences of flooding in such areas is acceptable. It is noted that an FCA has been prepared to inform the application proposals which found that small parts of the site are at risk of tidal flooding (southern portion, slipways and Butlers Wharf). It is proposed to raise all developed areas of the site to a level of 10.60m AOD so that the site is above the design flood level and to permit effective drainage of the site. It is also noted that a surface water drainage strategy incorporating SUDs has been developed. No doubt both MCC's Drainage Officer and NRW will provide a detailed response on these matters.

The proposal must also satisfy the provision of Strategic Policy S3 which requires the detailed application for the site to include a feasibility assessment for suitable renewable energy and low or zero carbon technologies that could be incorporated into the development proposals. Other LDP policies which are of relevance to the proposed development and should be taken into account in the full application are:

#### Strategic Policies:

- S1 – Spatial Distribution of New Housing Provision
- S2 – Housing Provision
- S4 – Affordable Housing
- S7 – Infrastructure Provision
- S9 – Employment Sites Provision
- 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 in Main Towns, Severnside Settlements and Rural Secondary Settlements
- CRF2 – Outdoor Recreation/ Public Open Space/ Allotments Standards and Provision
- SD2 – Sustainable Construction and Energy Efficiency
- SD3 – Flood Risk
- SD4 – Sustainable Drainage
- LC5 – Protection and Enhancement of Landscape Character
- GI1 – Green Infrastructure
- NE1 – Nature Conservation and Development
- EP1 – Amenity and Environmental Protection
- EP2 – Protection of Water Resources and the Water Environment
- EP5 – Foul Sewage Disposal
- MV1 – Proposed Developments and Highway Considerations
- MV10 – Transport Routes and Schemes
- DES1 – General Design Considerations

Regard should also be given to the Monmouthshire Draft Green Infrastructure SPG, May 2014. In this regard, GI proposals should be embedded into the master planning of the site and the detailed application should include a GI management plan.

## Section 106 Heads of Terms.

It is important that early consideration is given to the potential S106 Agreement Heads of Terms in order that agreed terms can be presented to Planning Committee at the same time as the planning application is reported. In this respect:

- Policy S4 requires that the development provides 35% affordable housing. It will be expected that this requirement will be met unless there is compelling viability evidence to demonstrate that it cannot be achieved. Details of the mix and type of affordable housing required need to be obtained from, the Council's Housing Officer. It is recognised that precision is difficult at this stage in the absence of a detailed scheme but financial implications of achieving the required mix will have to be taken into account by the developers in their viability considerations.

- Impact on existing facilities, especially schools, health facilities. It was generally established through the LDP process that the allocation would not have significant adverse effects on existing social facilities. This will obviously need revisiting in the light of the additional dwelling numbers proposed in case contributions are required through the Section 106 to mitigate any adverse effects of the development. Consultation with Education and the Health Board will be required in this respect.

CRF2 recreation / open space, including allotments – this policy sets out standards of play and open space provision required from new development and compliance will be required through the Section 106 Agreement. The Council's current charging schedule in this respect is set out in Annex 2 of the Approach to Planning Obligations Interim Policy Guide March 2013. If adult recreation areas are not provided on site then a financial contribution of £2,898 per dwelling is generally required to compensate for the increased pressure on existing recreation facilities resulting from the development. In this case, it is recognised that the submitted master plan is proposing a number of recreation facilities within the site, including the riverside walk and a community nature reserve at Beaufort Quarry, in addition to smaller areas of play space and amenity open space. There may be potential, therefore, for a more innovative approach to open space and recreation provision but this will need to be subject to detailed discussion and negotiation on such matters as adoption, future maintenance and costs.

- Green Infrastructure proposals – as referred to above, regard should be given to the Monmouthshire Draft GI SPG and GI proposals should be embedded within the master planning process. The Section 106 will need to take account of such matters as adoption, future maintenance and costs of GI. There may be scope for trade-off between GI provision and recreation contributions, given the potential for multi-use of GI space but, again, this will need detailed consideration.

- Biodiversity mitigation and enhancement – this will also need consideration in the S106. As with the bullet point above, GI space provided to achieve biodiversity mitigation and enhancement can also provide recreation space. It should be ensured, however, that financial contributions required to achieve legitimate biodiversity aims are not diverted from those required from equally legitimate recreation purposes, but should be additional to such recreation contributions.

- Transport infrastructure requirements / sustainable transport measures. Depending on further consideration of traffic impact assessment, as referred to in criterion c) above, off-site works may be required that are necessary for the development to proceed and that need to be dealt with by S278 and/or S106 agreements. It is understood that the Council's normal requirement is to ask for £1.5k per dwelling contribution towards sustainable transport measures to mitigate impact from private car use and pressure on existing public transport facilities. In this respect, there are obvious linkages with proposals to improve facilities at the adjacent railway station, as recognised in criterion d) of Policy SAH4. At the same time, however, it is recognised that there are trade-offs in terms of provision of sustainable transport facilities through enabling pedestrian access to the town centre from the development and the provision of walking and cycling facilities within the site, notably the new riverside walk. Similarly, GI resources can also be used to provide opportunities for walking and cycling. Again, such matters will need to be resolved through negotiation on the S106 Agreement.



- Employment land (3 ha serviced land) – this matter requires careful consideration, as referred to in criterion b) above and is likely to require addressing in the S106.

The Council is currently proceeding with the implementation of a CIL charge. Currently it is envisaged that the Council will adopt CIL - if the Council decides to go down this route then CIL will be applicable but, if the application is not approved prior to the adoption of CIL then this would have implications for the terms of any S106 Agreement.

### MCC Highways

The principles and the means of access and the sustainability of the proposed development have been the subject of extensive discussion with the applicant's consultants and various officers of the Council both pre Local Development Plan and post Local Development Plan allocation in determining the viability and suitability of the proposed development and its impact on the immediate environment.

The Transport Assessment submitted in support of the application has been the subject of significant scrutiny requiring the applicant to reconsider and provide additional information demonstrating the worst case scenario for vehicular trips generated by the development (reference Welsh Government letter dated 22nd December 2014). The Welsh Government, being the highway authority for the A48, have, using the information provided, carried out sensitivity testing and assessed the air quality and capacity issues on the A48 through Chepstow. The Transport Assessment and resulting sensitivity testing has taken account of future development sites allocated in the Local Development Plan and those allocated in the Forest of Dean and the development's future traffic flows adjusted to determine the impact. The Transport Assessment has determined following the application of the adjusted traffic flows that there would be approximately 90-110 additional movements generated by the allocated developments and future traffic growth incident on the A48 close to the development. Reference Transport Assessment dated December 2016, Section 5 Quantitative Analysis. The Welsh Government in their letter dated 12th August 2016 have determined following the sensitivity testing that they have no objection to the development, subject to the new phased highway mitigation measures.

Means of Access:

A48 / Station Road Junction.

I refer to the latest transport assessment dated December 2016 submitted in support of the application following the detailed review and sensitivity testing undertaken by the Welsh Government as highway authority for the motorway and trunk roads, they have no objection to the development subject to the new phased highway mitigation proposals, namely;

1. Up to 100 units - no junction improvements necessary
2. Up to 450 units - geometric improvements to increase junction capacity, Improvements to pedestrian realm
3. Above 450 units - full implementation of the junction improvement scheme Including at grade pedestrian crossings (if necessary or desired).

Appendix N of the Transport Assessment, Modelling Note and Linsig Assessment details the proposed phasing of the Station Road / A48 mitigation measures to accommodate the proposed development and its impact on the A48 / Station Road Junction and A48, the analysis has focused on the phasing of the improvements to maximise the function and capacity of the strategic network (A48). By making improvements to the junction the analysis identified that the capacity of the junction can be improved to accommodate the development. Monmouthshire County Council the highway authority for the local roads in Chepstow offer no specific comments in respect of the impact and required mitigation measures on the A48 and

the A48 / Station Road junction. I would however express the highway authority's concern and reservation that the mitigation measures and the triggers for their implementation have been agreed by the Welsh Government but no detailed design proposals have been submitted for the consideration and agreement of the Welsh Government or Monmouthshire County Council Highways.

Therefore, although the principle of the proposed mitigation and the triggers for the implementation have been agreed in principle, I would wish to see appropriate conditions are applied to any subsequent decision notice and that the provision and timing of the offsite S278 Highway improvements are covered in the S106 agreement to ensure that the mitigation / improvements are appropriate and delivered in a timely manner.

#### Station Road / Mill Lane / Exmouth Place / School Hill

With reference to the Transport Assessment dated December 2016, Appendix I Drawing No W141207/A/12A Proposed Improvements to Station Road/Forest Sand Junction and Drawing No W141207/A/12C Proposed Improvements to Station Road/Forest Sand Junction, the principle of the proposed improvements is welcomed and will help in enhancing the highway environment and cater for the greater trip movements (vehicular, pedestrian & cyclist) through the junction.

However the design and re-configuration of the junction arrangement will require further detailed review and analysis and is referenced in the Transport Assessment dated December 2016, particularly Section 4:24 At the request of MCC, a proposal for change of priority at the Mill Lane / Forests Sand / Station Road junction has also been considered. Whilst not proposed as part of this planning application, the drawing(s) included at Appendix I demonstrates that a change in priority at this junction can be achieved and would be beneficial if vehicular access off Mill Lane was provided to the park and ride facility to the east of the rail line (reference Transport Assessment December 2016, 4:25)

I would therefore wish to see its provision controlled by way of conditions attached to the decision notice, the need to control the requirement by way of a S106 agreement and the need for the applicant / landowner to enter into a Section 278 agreement with the Highway Authority for the delivery of the highway junction improvements.

#### Mill Lane (Network Rail Bridge)

The development was promoted on the basis that the private road that passes under the Railway Bridge could be improved. The principles for the improvement were considered during the LDP enquiry and required the road to be lowered and widened to accommodate the levels of traffic to be generated by the development.

LDP Inspectors report states;

*6.27 The site is adjacent to the station and on the opposite side of the line from the town centre, access to which is via a bridge under the railway. The existing headroom here of 3.5m will need to be increased. A letter from Network Rail confirms that there is a formal agreement between it and the site owner granting access rights which will enable the lowering of the carriageway under the bridge and other associated works. Traffic assessments also indicate that the increased number of dwellings on the site would not be significantly detrimental to highway conditions in the town. Other traffic matters were addressed in a review carried out in 2012.*

In considering this requirement the extant use of the site cannot be considered, as the extant vehicular and more particular large vehicle movements to and from the site were controlled by the site(s) operator and they bear no resemblance to the mixed use development proposed. The proposed improvements therefore have to be fit for the intended purpose and be capable

of accommodating the normal access and egress requirements for a development of this type, size and scale.

With reference to the Transport Assessment dated December 2016, Appendix G Drawing No W141207/A/03C Geometry & Layout for a two-way 4.1m Carriageway with Proposed 4.6m headroom for high sided vehicles including Vertical Swept Path Analysis demonstrates that the road can be amended to accommodate vehicles less than 4.1 metre in height, travelling in one direction only, concern has been expressed regarding the potential conflict that may arise in respect of opposing traffic movements and the applicants consultant has produced and submitted a supplementary report titled "Operation of Narrowing" reference 141207 NO8-NB dated 9th April 2015 confirming that the amended road layout will accommodate the scale, size and type of development proposed.

The proposal to lower Mill Lane is acceptable in principle but the level of detail submitted in support of the proposal requires further detailed consideration. The proposal is reliant on separate agreements with external / third parties I would therefore wish to see its provision controlled by way of conditions attached to the decision notice, the need to control the requirement by way of a s106 agreement and the need for the applicant / landowner and other third party landowners to enter into both the S106 agreement and a Section 278 agreement with the Highway Authority for the delivery of the highway improvements.

### Secondary Access

The provision of a secondary access as referenced in the Transport Assessment dated December 2016, Appendix F Drawing No. EIA Fig 4.3B Indicative Masterplan linking to the Osborn Development is a desirable requirement in terms of highway planning, functionality and sustainability for a development of this scale and size. However the link is solely reliant on the ability of the applicant to construct a suitable link to the adjacent Osborn development and the consent / permission being obtained / granted from third party owner. In the absence of such agreements the ability of the applicant to provide a suitable link is questionable at this stage.

The secondary access is a desirable requirement and I would therefore wish to see its provision controlled by way of conditions attached to the decision notice and the need to control the requirement by way of a S106 agreement

### Connectivity:

#### Pedestrian & Cycle Access

The site is located in what is considered a reasonably sustainable location in Monmouthshire. The town's main facilities, including rail and bus station and a number of schools are within a 2km walking and cycling distance of the site (ref: Transport Assessment, December 2016, Table 2.1) although the topography may well influence the distance to be travelled. The Transport Assessment has identified a number of walking routes from the site as well as undertaken an Active Travel Audit that demonstrates that the site benefits from reasonable pedestrian and cycle links and a number of designated crossing points of the A48 that provide reasonable connectivity and access to the town.

The Transport Assessment identifies a number of improvements and enhancements that will build upon and create a more sustainable and connected development. It will therefore be necessary to ensure that the following provisions are secured by way of appropriately worded conditions or secured by Section 106 obligations or contributions to either provide the improvements or enable the council to implement the improvements, namely:

- Pedestrian and Cycle access beneath the railway on Mill Lane (Ref; Means of Access)
- Pedestrian and Cycle access to be provided via the existing bridge beneath the railway between the site and Hardwick Avenue.
- Pedestrian and Cycle access to the adjacent Osborn development providing wider links to Lower Chepstow.

- Improvements to the existing pedestrian and cycling links to the Fisherman`s Walk.
- The re-routing and extension of the Wales Coastal Path and creation of new connections.
- Modification of the Station Road / Mill Lane / Exmouth Place / School Hill to provide pedestrian and cycle connectivity (Ref: Means of Access)

#### Public Transport

The site is located in what can be considered a sustainable location for Monmouthshire County Council, the site being within 300m of the rail station and 650m of the bus station in Thomas Street, the site also benefits from regular bus services that serve both the rail station and the adjacent Tesco's supermarket. The provision of public transport to access and negotiate the proposed development is to be encouraged and the applicant has indicated that the internal site layout will be designed to accommodate a suitably sized bus.

I would therefore wish to secure this provision and would encourage that an appropriately worded condition to provide for the ability for public transport, a bus, to access the proposed development is required. I would also be looking to secure an obligation and a Section 106 contribution towards the following:

The provision of a dedicated bus service serving the development or the enhancement of existing bus services for 5 years following the occupation of the 50th dwelling.

The construction of a new car park on the Network Rail land to the south of the westbound platform, which would be accessed via the ramp from the bottom of Mill Lane.

The provision of a bus interchange at Chepstow Rail Station

#### Travel Planning

The applicant will be required to develop and submit a travel plan and the requirement to fund the implementation and monitoring of the travel plan will be an obligation of the S106 agreement

#### Internal Layout

Although the internal layout is not for consideration at this stage the scale and design of the estate should not be discounted at this time and I would suggest that the applicant considers the following when developing the internal estate roads and associated infrastructure;

Monmouthshire County Council Highways actively encourage the adoption of residential estate roads and promote the design principles reflected in Manual for Streets and welcome early engagement with developers to create an acceptable layout and street scene. Appropriate levels of off street parking will be required in accordance with the Council's Parking Standard. The internal estate roads should be designed and laid out to ensure for connectivity through the site to and from Mill Lane and Lower Chepstow via the Osborn development and vice versa. The applicant should, where appropriate, avoid using materials and unnecessary street furniture and concentrate on good quality geometric design and use of conventional materials in an innovative way so as to avoid costly commuted sums for the future maintenance of extra ordinary materials if estate roads are to be offered for adoption.

#### Surface Water Management

No surface water management and sustainable drainage proposals have been submitted for consideration, however a Proposed Drainage Strategy (January 2017) has been submitted in support of the application. The difficulties of providing sustainable drainage solutions within made up and contaminated ground are noted. The development is also likely to generate less surface water run off than existing and with the land being raised to account for the 1:200 year flood event the outfalls from the development to the River Wye will not be tide locked. However, the introduction of sustainable on site drainage solutions to deal with surface water

at source is welcomed and I would actively encourage the introduction and development of such solutions.

However in the absence of and detailed information or design for the management of surface water on the site at this stage, appropriately worded conditions are required to ensure that the management of surface water is adequately covered at reserved matters stage.

#### Conclusion

I would offer no objections to the proposed development and the proposed means of access, but would question the level of detail submitted in support of the application and the need to enter into additional agreements to secure and provide the means of access.

I would therefore wish to see significant and robust planning conditions attached to any decision notice and Section 106 agreement provisions and the need to enter into a S278 agreement with both the Welsh Government and Monmouthshire County Council Highways to control the delivery of the highway and transportation infrastructure in a timely manner

#### Cadw

Additional information in support of the application has now been submitted. The proposal on the new illustrative Master Plan indicates that the large flood alleviation ponds which previously crossed the slipways have been removed as have the proposed buildings between them. This will remove the direct impact on the slipways and the relationship between them will be maintained. In regards to the determination of the current application the guidance in section 6.5.5 of PPW will need to be considered.

The proposed development will have a negligible adverse impact on the nationally important ship building slipways of the National Shipyard No.1. The LPA will have to consider this adverse impact when determining the application and consider the benefits of the proposed development including the proposed interpretation of this historic site.

#### Network Rail - No objection in principle.

The main vehicular access into the site is a road under the railway bridge. This bridge has experienced a number of bridge strikes and this will require particular consideration with regards to the increased traffic movements during development and following completion. Mitigation will be needed to avoid train delays and damage to the bridge. NR requests additional street lighting and the removal of vegetation to improve visibility to users of the bridge.

The applicant will need to consult with NR and may have to enter into an Asset Protection Agreement. A construction method statement may be required as well as trespass proof fencing. All buildings need to be at least 2 metres from the fence with the Railway Line.

#### Environmental Health Air Quality (05/10/16)

Environmental Statement Volume 3: Addendum.

The air quality section simply states that – “No additional information is submitted in relation to the content of this chapter of the ES. Therefore, there are no additional potential effects to consider and, as such, the conclusions of this chapter, as set out in the ES, remain unchanged.”

The assessment used recognised modelling and emission prediction tools and predicts that by 2021 nitrogen dioxide, PM10 and PM2.5 concentrations would have reduced due to the implementation of stricter controls on vehicle emission, e.g. the Euro 6 emission controls. As such nitrogen dioxide levels would meet the current objective level. The assessment predicts that this will occur with or without the development. If the development takes place, the assessment predicts air quality would improve slightly due to the removal of HGVs from the current industrial use. As such the assessment does not propose any mitigation.

My comments on the assessment are as follows:

1. The assessment states it takes its traffic data from the transport consultants, however I cannot find any reference or data within the AQA that states which report it used, or more specific details about current and predicted vehicle movements. The Environmental statement summary states that the development is for 450 houses, however a Transport Assessment by Vectros dated October 2014 does states 600 houses (which I believe is still the proposal). The AQA should clarify what traffic data was used.
2. I would be interested to see what the current LDV movements are from the Mabey Bridge site that would result in their removal improving air quality, despite the increase in traffic a 600 property development would have.
3. The AQA used Emission Factor Tool Kit v6.0.1 which was published July 2014, and so the most recent version at the time of the assessment. However since then the tool kit has been updated twice, with the most recent version (7.0) including an update to take into account more recent evidence on the real-world emission performance of Euro 5 and Euro 6 vehicles. As the AQA predicts decreases in emission levels due to greater uptake of these newer vehicles by 2021, I would recommend the model is undertaken using the most recent version in case the new evidence predicts less improvements than thought.
4. The AQA does not make reference to other developments that are in progress, or that are proposed in the area when predicting future emission levels, unless this information has already been factored into the traffic data that was obtained from the transport consultants. The AQA does not specify either way. I would recommend that a holistic view of all impacting developments be taken when considering the impact of air quality on public health. The most recent guidance by the institute of Air Quality Management and Environmental Protection UK "Land-use Planning & Development Control; Planning for Air Quality (May 2015)" advocates that the cumulative impacts on air quality from individual sites in local areas be taken into account.
5. With regard to the Volume 3: Addendum, which states "there are no additional potential effects to consider" if the changes to the road layout include changes in traffic on roads that were not initially assessed, or significant changes on roads that were assessed in the AQA, I would recommend that these effects are considered.

#### Environmental Health Air Quality (Response to Updated AQA, December 2016)

Note: Revised AQA was submitted to address above points in December 2016. This was based on an Arup re-run of the model and concluded that any effects were negligible (as before). The revised AQA (called ES Addendum/Version 4) is on the Council's website.

#### Environmental Health Contamination

Firstly I would recommend that the developer forwards the most recent asbestos survey of the onsite buildings, and their proposals for safe removal prior to demolition; and to make that information publically available as part of the application.

Secondly, I have reviewed the currently available Phase 1 desktop study and various Phase II site investigations for soil and groundwater. Contamination has been identified in both soil and groundwater, and further intrusive investigation will be required to fill in data gaps where sampling and borehole drilling was not possible; and to delineate hotspots. In addition the desk study identified potential sources of gas and vapour, therefore I would anticipate that gas and vapour sampling/monitoring regime will also be necessary.

Due to both the confirmed soil and groundwater contamination, the potential for further contamination elsewhere on the site, and the potential for gas and hazardous vapour generation, I would recommend that a site investigation and risk assessment procedure be undertaken by the developer in accordance with CLR11 "Model Procedures for the Management of Land Contamination"

I would also recommend that the applicant be aware of the guidance document from the South East Wales Land Contamination Working Group "The Development of Potentially Contaminated Land" which is available from Monmouthshire County Council's Website.

In relation to imported material, the developer should follow the guidance given in the document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems' which I have enclosed.

Should it be considered appropriate to grant planning approval prior to a contaminated land site investigation I would recommend that the following conditions (EH01 and EH03) be attached to ensure that the site is fully investigated and, if necessary, remediated and verified to ensure the protection of public health.

#### Environmental Health – Noise and Vibration

Having reviewed the ENVIRONMENTAL STATEMENT VOL 1 - 10. NOISE AND VIBRATION: National Shipyard No. 1, Chepstow Report Ref 238174 and Addendum 10.1: 'Noise and Vibration' whilst I am not in a position to substantiate a level of problems on which to base an objection I would recommend that any granting of permission is subject to the following conditions:

1. Detailed recommendations are to be submitted for ensuring an adequate level of protection from road traffic to the occupiers of all proposed properties and approved as acceptable prior to construction commencing on site.

The extent of location 1 defined as L1 in Report Ref 238174 shall be agreed and approved as acceptable prior to construction commencing on site.

2. The hours of construction and demolition shall be limited to the hours of:

- 8am to 6pm Monday to Friday, and
- 8am to 1pm Saturdays, with
- No work on Sundays / Bank Holidays or variation thereof agreed with applicant.

#### MCC Education.

Based on an assumption that all would be 3 bed properties, the proposed 450 homes would generate 98 primary pupil places. Again this is 21.7 pupils per 100 houses. Thornwell Primary School is the school within the cluster that has the largest spare capacity, currently holding 115 surplus places. The likely walking distance from the furthest end of the development to Thornwell School is going to be approximately 1.7 miles (measured as a travel distance, not as the crow flies). This could be shorter if the development has new walking routes through it. Monmouthshire's policy is that transport would be provided for a Primary age pupil if the walking distance is in excess of 1.5 miles. The statutory position on this is 2 miles for Primary. Given that the homes would be within the statutory walking distance of 2 miles, and the school has capacity, no S106 contribution is justified/ required.

If the development goes ahead, I would suggest a reorganisation of catchment areas in Chepstow. This could mean that the new development entirely goes into the catchment area of the School with surplus (Thornwell), or that all areas are reviewed which could mean this development has a split catchment. This would be a matter for separate Member decision separate to the planning application.

#### Forest of Dean District Council

An HRA is required.

The application should consider impacts in relation to Pennsylvania Fields SSSI.

No significant impacts on the setting or enjoyment of the Offa's Dyke National Trail are expected.

Ongoing traffic congestion is likely to get worse.

GCC Community Infrastructure Team should be consulted with regards to contributions for local services (education libraries, etc.)

#### Gloucestershire County Council –

At present west-bound traffic queues extend from Chepstow town centre along the A48 over the River Wye. This can impact on the operation of the A48/ Beachley Road junction. We have some concerns with the traffic impact analysis and some of its underlying assumptions.

Tidenham Parish Council – Object

Inevitable increase in road traffic will have an adverse impact on air quality on Hardwick Hill. Adverse impact on traffic flows especially the junction of the A48 with Gloucester Road and Sedbury Link road which could delay emergency vehicles.

Glamorgan Gwent Archaeological Trust (GGAT) – A detailed archaeological desk-based assessment was submitted as part of the Environmental Statement. There is significant historical interest in this area. We recommend a condition requiring the applicant to submit a detailed programme of investigation for the archaeological resource. We envisage that this will take the form of a detailed building recording of surviving elements of the early shipyard and associated structures as well as a watching brief.

MCC Heritage Officer

The application is for the redevelopment of the site to build 600 houses on the former Fairfield Mabey site. The site is important in the history of the last century for Chepstow having a direct impact on the building of the areas of Bulwark and parts of Hardwick in particular. However, not including Brunel House, the remaining buildings on the site have been heavily altered. Despite retaining some character this is not sufficient to warrant their retention, however it would be important to have a programme of recording prior to their demolition. In relation to the proposed development there are the following comments:

Brunel House is listed Grade II and dates back to 1851 and is an important industrial building with a strong architectural presence on this site. As proposed it is the only upstanding structure on the site that the development proposes to retain but its character and setting will not be adversely affected. The exact proposals for the building are unclear, however it is assumed that the building will also have a residential use. Any alterations to the listed building would most likely require listed building consent. It was severely damaged by fire in 2001 and as its interior is entirely new it has considerable scope for adaptive reuse. The creation of a square/quarter in front of the building is welcomed, however the adjacent buildings should be of a height and scale that reflect the special character of the listed building whilst allowing it to be the dominant feature of the square.

Slipways; the slipways are an important visual reminder of the exceptional history of the site. This history is well documented and it is welcomed that the historical development of the site will be incorporated into the scheme and interpretation is being considered at this early stage. It is welcomed that the slipways will not themselves be developed, more that they will be cleared and landscaped accordingly. The full retention and refurbishment of slipway 1 is very important and beneficial to the overall scheme.

Piers and Abutments to Brunel's Wye Bridge; these are listed Grade II as the remains of the Brunel Bridge. These are not going to be adversely effected by current proposals and indeed the space under the bridge where the Severn Princess is currently preserved offers considerable opportunities for enhancement as a pedestrian access to the site and for some interpretation of the crossing of the Wye and of the Severn. Also, there is the opportunity to tell the story of the Severn Princess.

The proposals overall as set out in the Design & Access Statement are well considered in relation to the context and character of Chepstow. The contemporary design, separated into three zones, is welcomed and proposes a good quality palate of materials appropriate to the industrial setting of the site, whilst being adjacent to the historic core of Chepstow town centre.

MCC Green Infrastructure Team

Thank you for consulting us on the above application we have considered the proposals and offer the following collective comments in relation to the GI perspective, detailed comments



on specific issues will also be submitted separately where relevant by the individual disciplines which go beyond the GI remit.

Our response is based upon the approach set out in our adopted LDP policies S13 - Landscape, Green Infrastructure and the Natural Environment, Policy GI1 - Green Infrastructure and our recently adopted GI SPG, in support of the above policies.

The proposal submitted and the Design & Access Statement represent a positive development to the integration of GI in this project and the GI team welcome such an ambitious scheme. There are a few points which we have highlighted which are outstanding from our previous meeting and were highlighted in our comments dated 15th April 2015. We have looked at the proposals and offer the following points which were discussed in a meeting in July 2016 which are intended to be helpful:

1 It is understood that the GI Infrastructure Strategy is the overarching framework document from which the "Habitat for Flora and Fauna, Public Realm, Exercise in Nature, Green and Blue Infrastructure Plan and Indicative Landscape Strategy have flowed. It would be most helpful if the GI Infrastructure Strategy clearly stated and listed this in the text on the plan.

2 The Green and Blue Infrastructure Plan could be retitled Green and Blue Strategic Planting Plan (to combine with fig 4.5 Principal Green Infrastructure Plan). This will need to be tied into and reflected in Fig 4.7 General Indicative Development Phasing.

3 Figure 4.7 General Indicative Development Phasing Plan should:

- Include all the areas of strategic planting e.g. the hedge and tree avenue alongside the eastern railway boundary, additional avenue planting, the public open spaces which include community garden and orchards.

- Confirmation that all these areas sit outside private ownership.

- Illustrate at which stage of development the strategic planting will be included. It is accepted that there has been a number of site changes which has seen a reduction in the GI infrastructure ( i.e. the loss of the lagoons and the board walk) therefore we would expect to see the strategic planting form part of phase 1 development. We asked for clarification of GI assets in relation to the phasing in our last consultation response 15th April 2015.

It may help to refer the applicant to one of their previous plans which they tabled in a meeting illustrating a GI strategic plan which clearly indicated how the phasing of the proposal would be provided in relation to the GI. This plan included an overall strategic plan similar to Figure 4.7 including 3 separate plans of the phasing of the development which included the GI strategic planting and how this would be delivered at each stage together with access and circulation.

4 Access and circulation (these points were flagged up in our previous comments and in the last meeting and have been reiterated and elaborated in the PROW separate comments) –

- As before viability of the proposed coastal path – in whose ownership will it be and will the path be at a suitable level to be adopted as part of the National Coast Path? (ref PROW comments). It is recommended that further discussion with the PROW officer will be needed to resolve this.

- Clarification of the detail of Beaufort Quarry e.g. site access, ownership and proposed management.

- Clarification required for access and management arrangements for the orchard and allotments– the DAS refers to use for existing and future residents and the wider community.

- Legally securing and maintaining key access points as well as entrance/exits points – have these matters been resolved (ref PROW comments).

5 Open space/play and community open space area, ownership and management of these areas needs to be clarified.

#### MCC GI Team updated response

In relation to GI it is understood that the only new information that has been submitted relates to the Drainage Strategy. Whilst this is to be welcomed there remains a considerable amount of information that was highlighted in our response dated 16.2.17 that has not been addressed.

These comments should be read in conjunction with the latest landscape, ecological and PROW comments and supporting conditions which are interrelated.

It has to be emphasised that the success of this scheme is dependant upon the delivery of the Green Infrastructure proposals, which makes the development acceptable for the collective specialist areas and is of particular significance for ecological impacts in relation to the internationally important sites. The detail of this will need to be secured via Surface Water Management Plans, Green Infrastructure detail, soft and hard landscape detail and the Ecological Design Strategy.

There are 3 key GI delivery requirements which will need to be secured via condition:

- 1 A GI Management Plan for the whole site;
- 2 Project Phasing plan - this is illustrated in the submitted Guidance for development of owner's Construction Environment Management Plan. A detailed phasing plan which demonstrates the delivery of the green infrastructure and public realm details should be submitted to clarify and secure this as we have raised in previous GI comments. We understand that it is the intention to require this by planning condition;
- 3 Access strategy – to address access and movement throughout the site and beyond.

#### MCC Public Rights of Way

At present apart from the main vehicular access into the site the 3 remaining pedestrian access points are either outside of the developer's control or have no recorded public access rights or both. Details of how this shortfall is to be addressed for the following sites need to be forthcoming; Beaufort Quarry to the existing Wales Coast Path, the link to Severn Crescent and the link from the northern end of the site.

Mechanisms need to be in place to ensure that the public and residents will have continued access in and out of the site and to its Green Infrastructure assets. MCC does not wish to see sections of the development become essentially gated or public 'no go' areas.

I understand also that it is no longer proposed that the riverside path should form part of the Wales Coast Path. It would be a wasted opportunity if it did not. ***(Note of clarification: it is, and always has been, proposed that the path becomes part of the Wales Coastal Path)***. The path if it were to become the Wales Coast Path would make a welcome improvement to that presently available, much of which does not run along the coast in Monmouthshire. If the path does become part of the Coast Path, NRW requires that it must have a permanent public right of access. This can be achieved by either dedicating the path as a public right of way or if the path is to be maintained by a management company by entering into a Local Government Act agreement. Ideally, MCC would like the path maintained as part of the Coast Path and to see it extend northwards outside of the developers control along the river to connect to The Back.

#### Dwr Cymru Welsh Water

We write further to our previous letter dated 21/01/2015 referring to your planning consultation for the above site. Our previous letter sought to place a holding objection on the determination of the application. We have significant concerns regarding the presence of several strategic assets within the development site which have not been addressed in the current proposals. Discussions with the applicant have been ongoing and several revisions to the drainage strategy have been submitted to us for review. Whilst we acknowledge progress has been made in an attempt to alleviate some matters, our concerns regarding the potential impact on our assets which cross the site still remain. It would be our preference for these matters to be addressed within the determination of the outline planning application. However, the Authority have provided assurances that through the imposition of suitably worded conditions, the investigations and delivery of any solutions and/or reinforcement works required to fully assess and resolve any potential impact on our assets, can be undertaken post determination. Therefore, if your authority are minded to grant outline planning application we would request the following information and conditions are attached to any planning consent.

## SEWERAGE

We have reviewed the information submitted and further revisions to the Drainage Strategy with specific focus on the document entitled Summary of Investigations and Proposed Drainage Strategy (January 2017). This formal consultation response is based solely on the broad principles of the proposed development communicating foul only flows to the existing public sewerage network. We also bring to your attention that any drainage works required to facilitate the proposed residential layout have not been assessed by Welsh Water. Any subsequent solutions or reinforcement works required will be subject to further assessment to determine viability and will require technical approval under both Section 104 and 185 of the Water Industry Act 1991. The proposed layout masterplan in its current form would not be acceptable, however we trust that this is indicative, not a fixed design and will form part of the material consideration in determining this application.

We understand that all surface water, land and highway water will utilise sustainable drainage techniques and eventually discharge to the adjacent watercourse. Whilst this approach is welcomed, the presence of swales and other attenuation features should be afforded careful consideration in terms of their proximity to any public sewers and water mains. Any SUDs feature should allow for sufficient access to ensure we can maintain our duties to repair and replace assets where necessary.

A Hydraulic Modelling Assessment has been undertaken to assess the ability of the existing public sewerage infrastructure off site to accommodate the proposed development. The assessment has identified reinforcement works are required in order to prevent detriment to the existing sewerage network. A number of solutions have been shared and progress of any such solution will be the developer's responsibility to fund.

## WATER SUPPLY

Since our previous letter we have conducted hydraulic assessment on the potable water supply network and have concluded that the existing infrastructure can accommodate the proposed development. We therefore remove any previous holding objection to the potable water supply element of this application.

### Gwent Police Designing Out Crime Unit

On the limited information provided it is difficult to provide constructive comments. I recommend that the site be designed and developed to the standards found within 'Secure by Design'. Parking Courts should be avoided.

NRW - a further response is awaited and will be reported as late correspondence. ***(Note of clarification: NRW's only outstanding question concerns the land raise proposed at the northern tip of the site. A revised plan on ground levels has been submitted and it is anticipated that this and/or the attachment of an appropriately worded condition will satisfy NRW on this point).***

### Response Received 02/02/17

We understand that you are requesting our advice on the effects of land raising at the site and as such we have reviewed the plan entitled "Proposed Land Raise Areas, dated 11 August 2016 Dwg No: 7729 SK105B.

Our advice is that further information is required to demonstrate that there is no increase in flood risk elsewhere as a result of additional ground raising prior to determination of the application.

We note that the Proposed Land Raise areas plan, indicating the extent of the site to be raised to 10.60m AOD, includes the area around the railway bridge and the original proposed location of Severn Princess Park for which the ground levels had originally been set at 9.3m AOD.

In our response dated 15 January 2015, reference SE/2015/118271/01 we highlighted that the modelling had demonstrated that raising the area around the railway bridge and the proposed Severn Princess Park location could restrict the flow of floodwaters away from Chepstow in the event of a significant flood, therefore increasing flood risk to Chepstow. To

overcome the increase in flood risk elsewhere it was proposed to set the ground level at this location at 9.3m AOD which is equal to that of the Chepstow defences to allow flood water to drain more easily away from Chepstow town. As it would appear that this area of the site is being raised to 10.6m AOD, the applicant needs to demonstrate that flood flow routes would not be affected by this proposed land raising.

The Flood Consequences Assessment, by JBA consultation, dated October 2014, submitted in support of the application, was based on the development masterplan for the site shown in the EIA parameter plan, figure 4.3, which was dated 23 September 2014. We note that this masterplan has been updated on 16 June 2016 and now shows a different location for the Severn Princess Park. Whilst we acknowledge that this is an outline application with layout a reserved matter, the impact of land raising should be fully assessed prior to determination of the outline application and an amended FCA submitted accordingly.

#### Response received 15/01/15

At this stage we request further information is provided in relation to aspects of the flood risk mitigation measures, as explained below. Subject to the satisfactory provision of this information, we advise the proposed development will only be acceptable if planning conditions are included to manage flood risk, impacts on designated sites and the water environment (including groundwater) and protected species.

**Flood Risk** The site lies partially within Zone C2 as defined by the Development and Advice Maps (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Our Flood Map information, which is updated on a quarterly basis, confirms the site to be partially within the 0.5% (1 in 200 year) and 0.1% (1 in 1000 year) annual probability tidal flood outlines of the River Wye, which is a designated main river. Our advice is that the applicant needs to demonstrate, through submission of a flood consequences assessment, that the consequences of flooding can be managed over the lifetime of the development. The planning application proposes mixed use development including housing (highly vulnerable development). With reference to Section 6 of TAN15, this development category should not be permitted in Zone C2. However we note the proposed indicative layout does not include highly vulnerable development in Zone C2. If your Authority is minded to approve the application, the applicant should undertake and submit a flood consequence assessment (FCA) prior to determination of the application that meets the criteria set out in TAN15.

A Flood Consequences Assessment (FCA), prepared by JBA consulting, dated October 2014, has been submitted in support of the application. The FCA has been informed by detailed hydraulic modelling. We advise you that the modelling and the FCA are appropriate to the size and scale of the proposed development. Please note we have applied a risk based approach to the assessment of this model and have not undertaken a full assessment of the fitness for purpose of the modelling, and can accept no liability for any errors or inadequacies in the model.

The FCA has defined the site into two sections, the NSN1 site and Beaufort Quarry (see 1.4). The indicative proposals show the Beaufort Quarry without development (public open space / possible nature reserve) and the FCA does not investigate flood risk further. The NSN1 site will comprise housing, commercial and associated infrastructure development, which is at partial risk of flooding. Our advice on this is explained below.

#### **Fluvial Flooding**

The results from the modelling demonstrated that the developable areas of NSN1 are not at significant risk of flooding from the fluvial dominated flood events, with the exception of the area marked as Buffers Wharf (figure 3-1) which is shown to flood during both the 1 in 100 year plus an allowance for climate change and 1 in 1000 year design events. Areas to the east of the site (referenced as slipways) will flood at greater return periods and therefore shown to be at risk during the 1 in 20 year design event. However the applicant does not propose development in this area.

**Tidal Flooding.** To ensure the proposed development within the NSN1 site considers the impacts of climate change, a 100 year lifetime of development was applied. The following simulated peak tidal levels were established from the modelling:

-1 in 20 year design level is 8.88m AOD - 1 in 200 year plus climate change design level is 10.39m AOD - 1 in 1000 year design level is 9.67m AOD

The modelling has shown that the primary risk (to the site) from the River Wye is tidal flooding, with the northern (Buffers Wharf), southern and eastern (slipways) areas of the site shown to be at risk during the above design flood events. TAN15 guidance states that new development should be flood free in the 1 in 200 year (plus climate change) design event, therefore mitigation measures have been put forward in the FCA.

#### **Mitigation Measures**

The applicant proposes built development in the areas at risk of flooding (southern area and Buffers Wharf to the north). Therefore the FCA has suggested mitigation measures in the form of raising ground levels to equal or greater than the 1 in 200 year plus climate change design level at 10.4m AOD.

The FCA states that current proposals for all areas of development is to raise levels to 10.6m AOD, and that finished floor levels will be set at least 10.75m AOD therefore providing a freeboard of 350mm above the 1 in 200 year design event. The FCA has also stated that the riverside walk and the Severn Princess Park is to be raised to a level around 9.3m AOD and the riverside park levels to vary up to 9.0m AOD. These areas will be at risk of flooding to depths of approximately 1 metre during the 1 in 200 year plus climate change design event. Your Authority should consider whether you accept the consequences of flooding to these areas (walk ways, public parks) in coming to your decision. If so, we would advise that the applicant provides mitigation in the form of notices or signage in these areas warning of the potential danger. We advise this could be secured to any permission through appropriately worded planning condition(s).

#### **Further Information Required**

The modelling has demonstrated that raising the area around the railway bridge and the proposed Severn Princess Park could restrict the flow of floodwaters away from Chepstow in the event of a significant flood, therefore increasing flood risk to Chepstow. To overcome this increase in flood risk elsewhere, it is proposed to set the level at this location at 9.3m AOD, which is equal to that of the Chepstow defences to allow flood water to drain more easily away from Chepstow town. This was shown to have no significant impact on flood risk to Chepstow. We advise that the FCA is updated with analysis to quantify the conclusion that there will be 'no significant impact' resulting from the raising of ground level at Severn Princess Park to 9.3m AOD. TAN15 is clear that there should be no increase in flood risk elsewhere as a result of the proposed development. This additional information should be submitted prior to determination and should demonstrate the impacts of this raising. You should consult us on the additional information so we can advise you on its adequacy.

Therefore, in view of the above we request that appropriately worded conditions are secured on any permission granted requiring the submission of:

#### **Lower Wye Valley Landscape of Outstanding Historic Interest**

We note that the development is located within a Landscape of Outstanding Historic Interest. Chapter 6 of Planning Policy Was (PPW) states that it is a material consideration in the planning process and must be given due regard when reaching a determination.

Subject to submission of satisfactory information, we advise the following condition is secured to any permission granted:

**Surface Water Drainage** We note that a drainage system will be constructed to ensure that increased runoff generated by the new development does not exacerbate flooding. This system will be designed with sufficient capacity to convey runoff for the 1 in 30 year storm event within the pipes and other formal drainage features for a 1 in 100 year plus climate change event being permitted to exceed these formal features. We would expect to be consulted on this drainage system as designed, including details relating to a "coastal storage lagoon".

## **Habitat Regulations Assessment**

A Habitat Regulations Assessment (HRA) as required by Regulation 61 of the Habitats and Species regulations 2010 (as amended) needs to be undertaken by the competent authority (Monmouthshire County Council). We consider that the applicant has provided reasonable information for you to undertake this assessment. Prior to granting any planning permission, you are required to consult us in our role as the appropriate nature conservation body.

### **Designated Sites**

The site lies partly within and immediately adjacent to the River Wye Special area of Conservation (SAC) and the River Wye (Lower Wye) Site of Special Scientific Interest (SSSI). Therefore, the proposed development has the potential to adversely affect these designated sites. The Environmental Statement (ES), associated documents and reports are comprehensive. There was also extensive pre-application work. This has provided a detailed assessment on the impacts on relevant designated sites. We also note the multi-functional approach to design which is aimed at helping to protect the integrity of the qualifying features for both the SAC and SSSI. The following reports are of particular relevance to consideration of the impacts on the European sites:

“Statement to inform the Habitats Regulations Assessment prepared by Biodiversity by Design, Rev 0 October 2014”; and “Guidance for Development of Owner's Construction Environmental Management Plan, prepared Biodiversity by Design et al, Rev 02 October 2014 Impacts on the European sites and the River Wye (Lower Wye) SSSI

The proposed development has the potential to affect features of the European sites identified above and the SSSI both directly through habitat loss and indirectly as a result of construction and operational activities. The master plan for the site has been developed to provide a buffer between the built development and the boundary of the SAC and SSSI and as a result there will be no loss of habitat within the designated site. Further, the master plan has been designed to allow the protection of the current extent of the saltmarsh habitat and allows for inland migration under rising sea levels for a least the next 100 years. 1. The potential for pollutants to enter the River Wye during both construction and operation which could lead to a decline in water quality and potential adverse effects on the features of the designated site such as migratory fish and the saltmarsh habitat. Potential pollutants include fuel and oils, waste materials, discharges from contaminated land and dust.

2. The effects of disturbance to species features including Otter and Lesser Horseshoe Bat and bird species associated with the Severn Estuary SPA bird assemblage. Disturbance could result from inappropriate use of lighting during both construction and operational phases affecting otter movements along the river corridor and bat commuting along vegetation corridors. In addition, disturbance could result from severance to habitat corridors that are known to be used by otters and bats.

The above effects are identified and considered within the document entitled, "Guidance for Development of Owner's Construction Environmental Management Plan, Biodiversity by Design Rev 02, October 2014". We agree with the content of this guidance document and advise you that it identifies all relevant impacts and preventative measures necessary to ensure that any impacts on the designated sites are reduced to acceptable levels or avoided completely.

To ensure that mitigation measures such as habitat corridors are managed in the long-term, your Authority should ensure that an appropriate management plan is prepared and implemented. Chapter 13 (Biodiversity) of the ES refers to the suitable management of the new green and blue infrastructure on the site (Paragraph 13.163 to 13.165 of the ES refers). Therefore, we advise that this is secured through suitably worded planning conditions if permission is granted:

### **Land potentially affected by Contamination**

There is the potential for soil and groundwater contamination from previous uses at the site. The site has known contaminative activities for over 100 years and metal and hydrocarbon contamination has been identified on site. We consider the site to be sensitive with respect to controlled water due to the proximity to the River Wye (a SAC) and being located on a Principal aquifer. The Environmental Statement recommends a remediation strategy and verification

plan to be submitted. We agree with this recommendation and therefore request conditions to be included on any planning permission granted.

### **Foul Drainage**

It is understood that a hydraulic modelling assessment will be undertaken to determine if the capacity is within the existing mains sewer network. Should connection to mains sewers not be possible then we request to be re consulted on this matter.

### **European Protected Species (Bats and Otters)**

As you are aware, otters and all British bats are European Protected Species, protected by The Conservation of Habitats and Species Regulations 2010. Where a European Protected Species is present and a development proposal is likely to contravene the protection afforded to otters or bats, development may only proceed under a licence issued by Natural Resources Wales, having satisfied three requirements set out in the legislation. One of these requires that the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range.'

These requirements are translated into planning policy through Planning Policy Wales (PPW) July 2014, sections 5.5.11 and 5.5.12, and Technical Advice Note (TAN) 5, Nature Conservation and Planning September 2009. The planning authority should take them into account when considering development proposals where a European protected species is present.

We note that the buildings and trees on site are considered to be of low/negligible potential to support bats, but that the site offers important commuting corridors between bat sites in the surrounding landscape, as well as foraging habitat.

We also note that although no otter holts were found on the site, scrub that was too dense or inaccessible to survey may offer resting places for otters that may move through the site via the river corridor and fringing habitats. The construction phase will therefore need to be considered carefully to avoid damaging or destroying any resting places that may be present in the dense scrub areas that were unable to be surveyed, or killing, injuring or disturbing any otters that may be using such places.

We welcome the incorporation of green infrastructure in the indicative layout for the proposed development, correlating with those areas that are of value to bats for commuting and foraging and of value to otters for commuting and resting. However, in order for those areas to continue to function effectively post-development, the green infrastructure should be unlit.

### **Water supply**

We understand that the applicant intends to carry out hydraulic modelling assessments to confirm capacity within the existing potable water main network to meet the demand of the proposed development. Please note, any proposal other than mains supply must be discussed with Natural Resources Wales.

### MCC Housing Officer

The Affordable housing requirement for this site would be:

- \* 35% of units to be affordable
- \* All constructed to Welsh Government Design Quality Requirements (DQR) as they would be neutral tenure
- \* Developer would be paid 42% of ACG by RSL
- \* Council will nominate an RSL partner/partners

However, given the scheme's evidenced viability issues, the alternative proposal of clean and serviced land set out in the report is accepted given the specific circumstances of this site.

### MCC Recreation

In terms of off-site recreation/open space provision, we would normally be seeking a contribution of £3,132 per dwelling, which for a site of 600 dwellings would be a sum in excess of £1.8m which is obviously out of the question, especially given the complexities of developing the site and taking into account the amount of on-site provision proposed as part of the Fairfield

Mabey proposals. If we were to ask for a large contribution like this I am sure they would be able to provide a viability test to show that such a contribution could not be justified.

I suppose my first question is whether or not the details of the on-site recreation provision, as set out in Tim Gent's (Savills) covering letter of 24th October 2014 can be "enforced" as part of the approval of the application in outline? If so, then I think the off-site provision can be significantly reduced.

The layout proposed shows a pedestrian/cycleway link from the development site into Garden City, adjacent to the Garden City Open Space which we have recently protected as a Centenary Field with Fields in Trust (formerly known as the National Playing Fields Association) and the Royal British Legion. I think it would be reasonable to request a contribution for improvements to the Garden City Open Space, given that there will be a direct link between the two sites and this will be the largest area of open space available to occupiers of the new dwellings. In particular, the number of children "generated" by the new development will be quite significant.

Rather than try for a "formula" equation (i.e. a contribution per new dwelling constructed), I would suggest an off-site recreation contribution of £250,000 to be spent at Garden City and that the trigger date should be on the occupation of 25% of the dwellings constructed in Phase 1 of the development – I believe that the proposal is to develop the site in three phases of approx. 200 houses in each phase so, on this basis, I would suggest that the off-site recreation contribution should be made prior to the occupation of the 50th dwelling. We are working with a local "Friends Group" to improve facilities at the Garden City Open Space, which includes play area improvements/extensions, a community garden and a sensory garden and a possible formal walkway/running track and new accessible toilets. A consultation exercise has taken place with existing local residents and a landscape designer is in the process of producing a plan to show the improvements proposed in more detail. These improvements would make the site suitable to absorb the additional use from new residents on the Fairfield Mabey site.

#### MCC Landscape Officer

The site is situated in a sensitive location on the edge of Chepstow's riverside. Historically important as a shipyard the slipways and listed buildings are key features of the site together with significant ecological assets as a result of its proximity to the River Wye, Wye valley woodlands and forming part of the Severn Estuary. The site is an important landscape forming part of the edge of the Wye Valley Landscape of Outstanding Historic Interest and has been identified in LANDMAP as of high and outstanding for its historical, cultural, ecological and geological aspects.

The proposal impacts upon the following LDP Landscape and Place- making policies:

- S13 Landscape, Green Infrastructure and the Natural Environment
- S17 Place Making and Design
- LC5 Protection and enhancement of landscape character
- GI1 Green Infrastructure
- DES 1 General Design considerations

I have reviewed the documents submitted and make the following comments;

1 LVIA - I have some concerns regarding the findings of this document. It should be noted that Monmouthshire's 2001 Landscape assessment has not been used in the assessment of Landscape character, only the Forest of Dean's; this was highlighted in the pre-application information and should have been updated. The result is that the classification of the LLCA area as one area I feel is incorrect, the site would be covered by 2 LLCA areas as reflected in the LANDMAP visual and sensory aspect area as illustrated in fig 12.1.7 Volume 1 chapter 12 of the ES and in Monmouthshire Landscape Assessment 2001.

The visual impacts have been noted and are considered fair and reasonable in their assessment.



2 The Design & Access Statement represents a positive development to the integration of Landscape, Place Making and Design through the GI approach which has been informed by many meetings and correspondence with the applicant. We warmly welcome the proposals specifically as they have developed through: the Indicative Landscape Strategy (24.6.17 Drwg no LP1985-FIRA-10-P-0010); Indicative GI strategy (16.6.16 Drwg no EIA fig 4.3B: Development Framework (16.6.16) and Project Phasing Plan Figure 1.3 (the latter incorporated within the CEMP). It is essential that the detailed plans reflect the information in these plans.

Overall having considered the design scheme carefully and following many meetings and discussions with the applicant in the development of the scheme's indicative outline design, it is clear that there is a desire to achieve a proposal which embraces the site's sensitivities. This has been reflected in the GI approach taken and can only be delivered successfully through this approach.

There are however key issues that still need to be addressed, these were highlighted in the GI response dated 16 February 2017:

- 1) Boundary treatment – particularly along the western edge along the railway embankment (see conditions below)
- 2) Surface water treatment strategy as part of the GI contribution (see conditions below).
- 3) Proposals/ mitigation for the Pumping station to be provided (see conditions below).
- 4) All open space areas within the development, including the green buffer along the riverside and Beaufort quarry to be recognised as the GI contribution (see GI conditions).
- 5) Phasing plan indicating when sections of the GI will be delivered – shall reflect the proposal put forward in Figure 1.3 of the CEMP and to incorporate the points made in the GI response dated 16.2.17.( see GI conditions).
- 6) Public Realm strategy to be provided reflecting the DAS and linked to the Indicative GI & Landscape strategies (see conditions below).
- 7) Lighting strategy (see biodiversity conditions).
- 8) GI Management Strategy (see GI conditions).
- 9) Detailed Landscape plans including detailed design.
- 10) Access Strategy required to reflect the points highlighted in the GI response (16.2.17 see GI conditions).

#### MCC Biodiversity Officer

##### Ecological Considerations

The application for the proposal is informed by an Environmental Statement which is supported by a considerable amount of supporting information.

Biodiversity By Design (October 2014) National Shipyard No.1 Chepstow Redevelopment, Statement to Inform the Habitats Regulations Assessment.

Biodiversity by Design (July 2016) Mabey Holdings National Shipyard No.1 Redevelopment Project Guidance For Development of Owner's Construction Environmental Management Plan.

Biodiversity By Design (July 2016) NSN1 Chepstow: 2016 Ecological Baseline

##### Protected Sites

River Wye SAC, Severn Estuary SAC, SPA & Ramsar, Wye Valley Woodlands SAC & Wye Valley & Forest of Dean Bat Sites SAC

A Statement to Inform the Habitats Regulations Assessment has been provided to support the application (original 2014 scheme). This was used along with other information supporting the

application to undertake a Habitats Regulations Assessment (Test of Likely Significant Effect). This assessment is required by Regulation 61 of The Conservation of Habitats and Species (Amendment) Regulations 2012, in accordance with the EC Habitats Directive (Council Directive 92/43/EDC) before the Council as the 'Competent Authority' under the Regulations can grant permission for the project. In accordance with Welsh Government policy, the assessment is also made in relation to the sites listed under the 1971 Ramsar Convention.

A number of effects have been ruled out as not significant:

A number of effects have been reduced or removed by counteracting measures which are embedded in the scheme and shall be secured via standard planning conditions. With these measures in place, it is considered that there will be no Significant Effect on the European Protected Sites or Ramsar site.

Vital for the protection of the site is the 'Owner's CEMP'. Guidance for the production of the Owner's CEMP has been submitted to inform the application and a robust planning condition should be used to secure its full development and subsequent CEMPs to be submitted by developers at subsequent reserved matters applications.

Any contractors or their subcontractors involved in construction activities on site will be required to produce CEMPs and or Construction Method Statements that are compliant with the present 'Owner's CEMP'. Their documents are to be submitted for review and approval by the Site Owner and be available for inspection and review by Monmouthshire County Council and Natural Resources Wales. This needs to be secured via planning condition.

#### SSSIs

All relevant local SSSIs have been considered in the ES including those over the border in England. Potential impacts identified on the River Wye SAC can be addressed through appropriate measures during the construction phase and Green Infrastructure design and management.

#### Priority Habitats

The ES addendum confirms the amount of habitat loss/retention/creation based on the 2016 scheme. Subject to securing the GI design detail and appropriate post development management via a Green Infrastructure Management Plan and Management Company; it is considered that the losses/changes can be balanced by the new proposals. However, this is only subject to the development delivering the type and quality of Green Infrastructure indicated and therefore, securing the proposals will be vital. Section 13.27 of the ES addendum gives a summary of the proposals and parameters are illustrated in the Development Framework (4.2b).

The developer needs to consider storage and reuse of the topsoil to enable the existing seedbank to have an opportunity to survive. I cannot find reference to this in any document regarding mitigation however, it could be covered by the CEMP and detailed landscape design.

#### Protected Species & Priority Species

##### Bats

Time passed since surveys is becoming borderline in terms of acceptability; however, based on the low potential previously identified, the de-roofing works that have been undertaken at the site and justification laid out in the Ecological Baseline for 2016, the current information is considered to be acceptable.

The ES states the intention to carry out further survey works of any remaining buildings prior to demolition (bearing in mind it could be several years before works to certain parts of the site commence). It is recommended that a planning condition is used to secure a programme

of ongoing survey relating to several taxa including bats in line with the phases of the development to ensure no further matters arise.

#### Reptiles

The population of reptiles identified at the site is considered by Biodiversity by Design after consultation with MCC to be of District value. Proposals include translocation of individuals from the main site to habitat that has been prepared in Beaufort Quarry (as detailed in Annex 4 of the submitted Owner's CEMP Guidance). No detail of trapping/translocation has been provided in the CEMP Guidance but should be secured via planning condition for the CEMP.

#### Hedgehog

Hedgehog is a Section 7 (Environment Act, 2016) species which has been identified at the site and a large proportion of the species' habitat will be lost during development. The developer has proposed to undertake a translocation to a suitable receptor site using a specialist contractor prevent individuals being injured or killed during the development. This will need to be secured via a planning condition for the Construction Environmental Management Plan.

#### Priority Breeding Birds

Habitat previously used by breeding gulls i.e. factory roofs, has already been removed from the site. No requirement to provide compensation has been made. Song thrush shall lose habitat at the site but improved woodland management and the scrub belt adjacent to the River Wye could improve the quality of habitat for the species although it is accepted that there will likely be an increase in predators due to the likely influx of domestic cats. Other priority species include house sparrow. Compensatory provision shall be sought in the new development design for this priority species through the Ecological Design Strategy.

Priority overwintering birds – see Protected Sites.

Otters – see Protected Sites.

#### Other species

##### Invertebrates

The ES addendum notes that there will be no net loss of ephemeral short-perennial sward which is an important invertebrate habitat at the site. The important areas for invertebrates such as the Beaufort SINC and the saltmarsh habitat must be protected during development and management for invertebrates considered sufficiently in the Green Infrastructure Management Plan.

#### Breeding birds

A Construction Environmental Management Plan shall detail measures to safeguard nesting birds during the development. It is indicated that the loss of breeding bird habitat shall be mitigated by the increase in quality of woodland habitats at the site. There will be a site wide strategy for artificial refuge (nest box) provision and the detail of this must be secured via planning condition.

## 4.2 Neighbour Notification

Letters of objection from 61 addresses

Insufficient improvements to the A48 Junction

Site will ruin the entrance to the Wye Valley AONB

Application will be approved by stealth and default

Contrary to Development Plan Policy

Over development of an ancient historic site

The Traffic and Air Quality Assessments are unrealistic  
Occupiers will be dependent on their cars for shopping and jobs  
Traffic congestion on the A48  
Pedestrian Access is too narrow  
Inadequate access under the railway bridge  
Hardwick Avenue is not designed as a through road  
Less manufacturing jobs  
Partial development would not be acceptable  
Need for archaeological recording  
Town cannot cope with more housing  
Need a retail park and a cinema  
Increasing pollution on Hardwick Hill  
Chepstow is gridlocked as insufficient infrastructure to support new developments  
Inadequate public transport  
Need a bypass for Chepstow  
Lack of Employment opportunities  
Too much traffic on Hardwick Hill  
Insufficient parking in Chepstow  
Services are being cut by MCC  
Newly built housing on the adjacent site not occupied yet  
Radon Gas in Beaufort Quarry  
Changes to the one way system will not work  
Application contains a lot of useless contradictory evidence  
Need highway improvements  
Incremental growth on the site so need for highway improvements  
More traffic delays and more pollution  
Need more wildlife protection  
No assessment of impact on traffic flows through Lower Chepstow  
Traffic will increase in Lower Chepstow  
Small businesses will suffer with increased traffic congestion  
Reverse traffic flows have already been tried and failed  
Someone will become rich while Chepstow goes into chaos  
Chepstow services already at capacity  
Danger to road users  
There is litter all over Chepstow  
Alterations to the road junction will not solve the problem, just shift it elsewhere  
Increased pollution  
Puts off visitors visiting Chepstow  
Adverse impact on weddings and funerals at St Mary's  
Tesco should build a new roundabout in their car park  
Lower Church Street will be at gridlock  
No new homes are needed  
Need an additional primary school  
Need more football pitches  
Need more open flood alleviation areas  
Adverse impact on the Roman Dockyard  
Underinvestment in Chepstow  
Need a new feeder lane at Tesco junction - Chepstow is just a commuter town  
Empty shops  
Car parking charges are too high in Chepstow  
The development is too big for Chepstow  
Harmful to the ecosystem.

3 Letters of Support

Chepstow needs more houses  
As house prices rise they become unaffordable for local people  
Welcome this addition to the town  
Need more affordable housing  
Exciting opportunity for Chepstow  
It will provide construction jobs  
It will support local businesses  
More council tax receipts  
Need smaller affordable units for local people.

#### 4.3 Other Representations

Gwent Wildlife Trust (15th December 2014) – Objects.

Number of houses is too great, the number should be closer to 300

River Wye is an important nature conservation site; the site offers opportunities to enhance and protect the SAC by providing a buffer zone and natural habitats along the river.

Proposal takes housing too close to the river.

A buffer zone of 50 metres would be more appropriate.

Suggest a significant reduction in the amount of housing at the southern end of the site would allow for semi-natural habitats.

The riverside walk/cycle path should take the form of a route through the semi natural habitats rather than the urban parkland setting.

Gwent Wild Life Trust (14/05/15) Maintain our objection.

Density of housing proposed is detrimental to the SAC and there will be a significant loss of wildlife habitats.

The development site offers opportunities to enhance and protect the special feature of the River Wye SAC and provide a generous buffer zone comprised of existing habitats and some additional habitat creation beside the river banks. This could be achieved in tandem with retention of the historic slipways and potentially the retention of a working dock This is a historic opportunity to link the people of Chepstow with the special history of the River Wye and enhance and retain elements of the existing more natural river bank habitats which have in the past been partially damaged on this site and in the Chepstow area.

The current layout results in a net loss of valuable saltmarsh and a mosaic of existing wildlife habitats. This will impact on existing mammals, invertebrates and bird populations

***NB No comments have been received from Gwent Wildlife Trust in response to revised DAS and ES (July 2016), which are considered by Officers to address many of these concerns.***

Chepstow Society (initial comments)

It would be difficult to object to the principle of development given that it is adopted in the LDP. Reservations on how the development will be integrated with the existing town.

Increased traffic on the A48.

Air quality on Hardwick Hill will be made worse.

Flood risk on the site.

Need to improve the junction of the A48 with Station Road.

Control of the pedestrian/emergency exit via Hardwick Avenue and Garden City.

Development of a brownfield site is to be welcomed

More consideration of Green issues such as rainwater harvesting, solar panels etc.

Control of the runoff to the river must be taken into account.

Suitable infrastructure must be provided.

Chepstow Society (comments on the amendments)

Our views remain unchanged. The amendment does not in any significant way address the traffic problems along the A48 or the air pollution on Hardwick Hill. There is no clarification of the second access into the Dendix site, the emergency access onto Hardwick Avenue or the one way system in lower Chepstow. What will happen to Forest Sands? Green Issues must be considered.

#### Chepstow Boat Club

Chepstow is an historic port. This is the only wharf left on the River Wye that is suitable for large ships to access. Buffer Wharf is currently operating as a sand and aggregates business and a 1400 tonne sand dredger discharges its cargo there about 5 times a month. This will be lost under the present proposal. To shut down the final operational wharf in Chepstow is unacceptable and to close down a thriving business which will be unable to re-locate causing loss of jobs and stop the supply to sand is short sighted. The operational wharf should be incorporated into the scheme.

#### Transition Chepstow

We hope that this development would include a link footbridge over the Wye so that Wye Dean School connects with the pedestrian/cycle path link over the railway to join the Wales Coastal Path that would benefit from being upgraded to a shared use path. This would enable the linking of all the communities and schools from Caldicot through Chepstow and out into the Wye Valley and benefit thousands/ millions of people into the future. Welcome the development and support the construction of riverside paths. Fully support the environmental and biodiversity proposals but object to the high number of dwellings being proposed.

#### Chepstow Town Junior Football Club

Chepstow desperately needs more outdoor sports facilities. 25 teams have only 2 pitches to play on and these are often waterlogged. We need 3G pitches to be provided by the developer.

## **5.0 EVALUATION**

### **5.1 Principle of Development**

5.1.1 Policy S1 of the LDP refers to the Spatial Distribution of new housing provision within the County and states that the main focus for new housing development will be within or adjoining main towns. Chepstow has been identified as one of these main towns. The spatial housing strategy of the LDP favours brownfield sites in sustainable locations within the existing towns. Over the plan period it is expected that 675 of the total 4957 residential units required will be provided within Chepstow. The site at Fairfield Mabey complies with that strategy. In addition a development boundary has been drawn around Chepstow and this site is within the development boundary. Policy H1 states that within development boundaries, new build residential development will be permitted subject to detailed planning considerations and in accordance with other policies in the plan. Policy S3 of the LDP identifies seven strategic housing sites within Monmouthshire. Policy SAH3 relates to the Fairfield Mabey site. Therefore the principle of redeveloping this site for a mixed use scheme, including residential, is already established.

Policy SAH3 of the LDP relates to the Fairfield Mabey site and states:

**16.1 hectares at the Fairfield Mabey, Chepstow site are allocated for a mixed use residential and employment development. Planning permission will be granted provided that:**

- a) Around 350 new dwellings are provided during the LDP period;**
- b) Provision is made within the site for 3 hectares of serviced land for**

industrial and business development (Class B1 of the Town and Country Planning (Use Classes) Order), unless it can be demonstrated that a reduced area would be appropriate by means of an equivalent amount of other employment and wealth creating opportunities contributing to sustainable economic growth being provided within the development proposals. The serviced employment land shall include an area for four starter business units to be financed from the adjoining Osborne International redevelopment site;

c) It can be demonstrated that traffic flows can be satisfactorily accommodated and air quality standards met in relation to the highway network leading to the site and a Section 106 Agreement has been signed that, in addition to standard requirements, includes provision for any necessary off-site highway works to ensure that this is achieved;

d) The Section 106 Agreement will include provision for any necessary off-site works to improve pedestrian access to and from the site, particularly in relation to the Chepstow town centre, and to assist in taking advantage of other opportunities for sustainable transport in relation to the proximity of the adjoining Chepstow railway station;

e) The Section 106 Agreement will make provision for a riverside walkway and cycling track, subject to compliance with criteria f) and g) below;

f) Project level HRA can satisfactorily demonstrate that appropriate mitigation can be taken during construction and operation of the scheme to avoid adverse effects (either direct or indirect) on the integrity of the River Wye SAC;

g) The proposal includes a buffer strip of undeveloped land between the River Wye SAC and any development. The exact size and position of the buffer strip in relation to the development and SAC should be determined through the detailed project level HRA and in consultation with CCW. This will help to protect the SAC both during construction and operational phases of any future development;

h) The proposal avoids/minimises the loss or fragmentation of supporting habitat (vegetation adjacent to river corridor). It should also seek to enhance riparian and linear habitat features;

i) The proposal should avoid construction methods, such as pile-driving, which have the potential to disturb protected species through either noise and/or vibration. This is important during migration periods for fish features; in particular the twaite shad as construction works can create acoustic barriers;

j) The proposal is accompanied by a lighting scheme – dark corridors should be maintained and light spillage onto the river corridor minimised;

k) The proposal is accompanied by a Surface Water Management Plan that considers both the construction and operation of proposed development;

l) No highly vulnerable development shall take place in those parts of the site that are within the designated C2 flood zone. No other development shall take place in those parts of the site that are within the designated C2 flood zone unless a flood consequences assessment has been carried out that demonstrates that the consequences of flooding in these areas are acceptable.

5.1.2 The site of the proposal is 20.13 hectares which is larger than that identified in Policy SAH3, as the application site includes the site of Beaufort Quarry. It is intended to use this part of the site for recreation and ecology and not to have built development on it. The policy suggests the site could provide for around 350 dwellings while the applicants are proposing up to 600. Since the application was originally submitted the indicative layout drawing has been amended removing housing development from around the slipways and this will result in a lowering of the number of units that can be provided on the site. That reduction is quite significant given that it was proposed that the highest density development would be around

the Slipways and that has now been removed from the proposal. The Traffic Assessment considered the implications based on 600 dwellings and Welsh Government considered that the road network had the capacity, with some improvements, to accommodate that level of traffic increase. However in reality it is likely that the site will not be able to accommodate more than 450 units due to the constraints on the site. The Viability Appraisal and Traffic Flow analysis considered the site in terms of its ability to provide for 450 dwellings. This application should be considered to be providing for no more than 450 dwellings although the exact number will be determined at the Reserved Matters stage and this is most likely to be accomplished through several phases of development. A condition can be imposed capping the level of development to 450 dwellings beyond which point the viability would have to be re-assessed and traffic flows/necessary high improvements considered.

5.1.3 The provision of up to 450 units is 100 dwellings more than in the LDP allocation. It had always been recognised that a higher housing target for the site might have been achievable, particularly given its 'riverside' location that might encourage a higher density of development. The scale of development was limited, however, in order to restrict the rate of growth in Chepstow. If the increase in the number of dwellings is found to be acceptable in terms of design, layout, impact on infrastructure etc., then the development should be phased so that the additional 100 dwellings are provided beyond the LDP plan period. Given current build rates it is unlikely that 350 dwellings will be built on this site during the plan period. The applicants have identified three distinct areas within the site and each of these would have different levels of density. The three proposed residential areas range from 30-40 dph (New Chepstow) with 37-42 dph proposed at Steelyard and 48-52 dph at Hardwick Cliffs. This is greater than the policy requirement of 37 dph but in Policy DES1 (i) it is recognised that the site is in a sustainable location and offers the opportunity to take advantage of sustainable travel.

5.1.4 The other provisos of LDP Policy SAH3, including employment site provision, highway implications and biodiversity will be considered in detail in the remainder of the report. The principle of developing this site for a housing-led, mixed use proposal is acceptable and has already been established through the Housing Strategy of the LDP and specifically through Policy SAH3. The Fairfield Mabey site is a brownfield site close to the centre of town. It occupies a sustainable location close to public transport and local facilities. The Council and national policy favours the development of brownfield sites over the expansion of towns into greenfield areas. Officers have no objection to the slightly larger site area, to include the quarry or to the increase in housing numbers.

## 5.2 Highway Considerations

5.2.1 A Traffic Impact Assessment was submitted by the applicants in support of this site when it was being considered through the LDP process. At that time it was proposed that there would be substantial improvements to the junction of Station Road and the A48 (the Tesco junction). This was to include a staggered traffic signal controlled crossroad junction of the A48/ Station Road/ Upper Church Street to increase the capacity of the existing junction. The LDP Inspector's Report states at paragraph 6.26 that the conclusion of the TA carried out in 2011 was that 'the traffic generated from 450-500 dwellings on site could be accommodated on the existing highway network. If development contributed to highway improvements up to 600 dwellings could be provided. The TA made reference to a Draft Interim Travel Plan.

5.2.2 A new Transport Assessment (TA) was submitted in support of the current application and has been the subject of significant scrutiny by both MCC and WG Highways Division. The applicants were asked to provide additional information demonstrating worst case scenario for vehicular trips generated from a development of up to 600 dwellings. The Welsh Government, being the Highway Authority for the A48 Trunk Road, using the information set out in the TA, carried out sensitivity testing to assess the Air Quality and vehicular capacity along the A48



through Chepstow from the Wye Bridge to High Beech Roundabout. The TA which provided the information for the sensitivity testing took into account the future development sites allocated in the Local Development Plan and those allocated in the Forest of Dean and the development's future traffic flows were adjusted to determine the impact. The Transport Assessment has determined following the application of the adjusted traffic flows that there would be approximately 90-110 additional peak hour movements generated by the allocated developments and future traffic growth incident on the A48 close to the development (Reference Transport Assessment dated December 2016, Section 5 Quantitative Analysis). The Welsh Government in their letter dated 12th August 2016 have determined following the sensitivity testing that they have no objection to the development, subject to the new phased highway mitigation measures. Given the WG Transport Division have said they have no objection on highway grounds to the development of this site for up to 600 dwellings, there are no grounds for MCC to substantiate an objection to the proposal on highway grounds based on the increase of traffic at the Station Road junction with the A48 or the likely impact of the increase in traffic along the A48 and up Hardwick Hill.

5.2.3 The Scheme proposed in the current TA included phased highway mitigation improvements to the A48/ Station Road junction. These improvements are shown in the Environmental Statement Volume 3 Addendum dated July 2016. These improvements would be in three phases:

1. Construction of the first 100 dwelling units, no junction improvements necessary;
2. Between 100 and 450 units, geometric improvements to increase junction capacity and improvements to the pedestrian realm (including the underpass);
3. Over 450 units, full implementation of the junction improvement scheme; modifications would include a one way system around Nelson Street Carpark and an at grade pedestrian crossing.

5.2.4 The A48 though this part of Chepstow is a designated trunk road and therefore the Welsh Government is the Highway Authority with responsibility for alterations to the highway. Initially WG Transport Division issued a holding objection to this application pending a report into the wider impacts of this development, especially with regards to air quality. There are known to be air quality issues along this stretch of the A48 especially around Hardwick Hill. In March 2016 the A48 Chepstow Air Quality Options Assessment (Parsons Brinckerhoff) report was issued by WG. In light of this the applicants revised their scheme, proposing the changes mentioned above. WG Transport Division then withdrew their holding objection saying that they have no objection to this development, subject to the new phasing highway mitigation proposals being implemented. WG have agreed to these mitigation measures and the triggers. WG Transport Division therefore consider that the road network is able to accommodate traffic generated by up to 600 dwellings. However as explained above the more realistic scenario is that only a maximum of 450 dwellings will actually be built and the traffic flow analysis and viability testing related to this lower figure. It can be seen from these figures that after the 101<sup>st</sup> dwelling was built then the modifications in phase 2 would need to be implemented. Only after the 451<sup>st</sup> dwelling was built would phase 3 (a one way system around Nelson Street Carpark) need to be implemented and this application is presuming that no more than 450 dwellings will be built. If more than that number were to be proposed the whole outline application would be reviewed. The principle of the proposed mitigation and the triggers for the implementation have been agreed in principle but appropriate conditions need to be applied to ensure that the provision and timing of the offsite Section 278 Highway improvements are appropriate and delivered in a timely manner.

5.2.5 Highway improvements are also proposed for the Station Road/ Mill Lane Junction. MCC Highway Engineers welcome the principle of the proposed improvements which will enhance the highway environment and will cater for greater trip movements (vehicular, pedestrian and cyclist) through the junction. At the request of MCC, a proposal for change of priority at the Mill Lane / Forests Sand / Station Road junction has also been considered.

Whilst not proposed as part of this planning application the drawing included at Appendix I demonstrates that change in priority at this junction can be achieved. This would be beneficial particularly if a vehicular access is to be provided to the proposed Network Rail car park on the eastern side of the railway line for a Park and Ride facility at Chepstow Station, which is MCC's aspiration.

5.2.6 The development was promoted at the LDP stage, on the basis that the private road that passes under the Railway Bridge could be improved; the principles for the improvement were considered during the LDP enquiry and required the road to be lowered and widened to accommodate the levels of traffic to be generated by the development. The current proposal involves lowering the height of the road under the bridge by 1 metre. This would allow for a two way 4.1 metre high carriageway with 4.6 metre high head room for high sided vehicles traveling in the centre of the road. The proposal to lower Mill Lane is acceptable in principle but the level of detail submitted in support of the proposal requires further detailed consideration. Lowering the road will require diverting several utilities, including the foul sewer that runs under the road. The road will need to be lowered prior to development commencing on site and this should be secured by condition.

5.2.7 The TA and submitted plans make reference to a secondary access into the site. This would be from Lower Church Street, through the Osborn site and under the railway and A48 bridges. A second access into the site is a desirable element of a development of this scale. Provision was made on the Osborn site to provide an access point into the Fairfield Mabey site and this was secured through a 106 Legal Agreement.

5.2.8 The internal road layout within the site, is a reserved matter which will not be considered at this stage. However it should be noted that the Council will be looking to adopt the roads throughout the site and as such the roads need to be designed to accommodate service vehicles.

### 5.3 Air Quality on the A48

5.3.1 An area in Chepstow along the A48, Hardwick Hill, has been designated an Air Quality Management Area (AQMA) due to the high emissions from traffic, particularly from heavy goods vehicles travelling up the hill. Any increase in traffic resulting from the Fairfield Mabey site should not increase the levels of harmful emissions in this location. An Air Quality Assessment (AQA) was submitted as part of the application and was revised following the submission of the Environmental Statement Volume 3 addendum (and the replacement TA). This was based on the likely traffic generated by 450 dwellings. The assessment used recognised modelling and emission prediction tools. The model predicted that with or without this development nitrogen dioxide concentration levels will reduce overtime due to stricter controls on vehicular emissions. The assessment predicts that if the proposed development takes place, there would be a negligible effect on air quality. It is important to remember that the site has a fall-back industrial use, which although operating at a very low level at present (with the Mabey use having stopped altogether), in planning terms the industrial use remains the lawful use of the site and it could recommence at its previous peak levels without the need for planning permission. The fall-back highways and air quality impact is a consideration.

### 5.4 Cumulative Impact of other developments in the Chepstow Area

5.4.1 When considering the traffic flows along the A48 it is important to take into account increases in traffic generated from existing and proposed developments along the A48 both in Monmouthshire and also across the river in the Forest Of Dean. The proposed and approved sites in Chepstow and the Forest of Dean were taken into account in the submitted Transport Assessment which presented a worst case scenario. The road network is

considered to be able to accommodate the traffic from this and other developments in the locality subject to the caveats set out in pars. 5.2.1 to 5.2.8 above.

## 5.5 Sustainable Transport

5.5.1 The site occupies a very sustainable location allowing for social inclusion and is within easy walking distance to the town centre, schools, leisure, health facilities and the railway station. There are also pedestrian and cycle routes proposed to Lower Chepstow via the Osborn site, to Garden City via Hardwick Avenue and to Thornwell via a footpath adjacent to the quarry. The site is therefore very well integrated with easy access to a wide range of facilities. The TA addendum outlines these walking routes as well as undertaking an Active Travel Audit that demonstrates that the site benefits from pedestrian and cycle links and a number of designated crossing points of the A48 which will provide good connectivity to the town centre. The railway station is approximately 300 metres from the site entrance and the bus station 650 metres. The developers are prepared to provide a financial contribution for a Residential Travel Plan via a S.106 agreement. Network Rail are considering their park and ride scheme and require a new car park on the eastern side of the railway line. The developers are prepared to provide land for an access to the car park if it should ever come forward. There has been discussion about the need to provide finance to pump prime a bus route through the site. Given the site's sustainable location and the fact that a range of buses serve the nearby Tesco store, it is considered that this financial contribution is not needed. Discussions have also taken place about improving the pedestrian links to the town centre, it has been concluded that there is no justification for providing an at grade level crossing on the A48 given that there is a functioning underpass and that WG would have to agree to this as the A48 is a Trunk Road.

5.5.2 The TA identifies a number of improvements and enhancements that will build upon and create a more sustainable and connected development. It will therefore be necessary to ensure that the following provisions are secured by way of appropriately worded conditions or secured by Section 106 obligations or contributions to either provide the improvements or enable the Council to implement the improvements, namely:

- Pedestrian and cycle access beneath the railway on Mill Lane
- Pedestrian and cycle access to be provided via the existing bridge beneath the railway between the site and Hardwick Avenue.
- Pedestrian and cycle access to the adjacent Osborn development providing wider links to Lower Chepstow.
- Improvements to the existing pedestrian and cycling links to Fisherman`s Walk.
- The re-routing and extension of the Wales Coast Path and creation of new connections.
- Modification of the Station Road / Mill Lane / Exmouth Place / School Hill to provide pedestrian and cycle connectivity (Ref: Means of Access)

## 5.6 Employment Provision

5.6.1 Policy SAH3 of the LDP says that provision should be made within the site for 3 ha of serviced land for industrial and business development, unless it can be demonstrated that a reduced area would be appropriate by means of an equivalent amount of other employment and wealth-creating opportunities contributing to sustainable economic growth being provided within the site. The application is proposing to provide land for approximately 6500 sq. metres of flexible work space. This is intended to be B1 use offices and workshops. As part of the Section 106 agreement from the adjoining Osborn site, the developers of that site were required to provide funding for starter units on the Fairfield Mabey site. In addition to this it is

proposed that the existing Brunel House will be converted to provide commercial and community facilities. The building lends itself well to providing high quality office accommodation. It is also proposed that some retail units could be provided in the form of food and drink outlets. The applicants estimate that these commercial properties combined would provide employment for approximately 400 full time posts. The amount of land being provided on the site for industrial and business development falls short of the 3 ha outlined in Policy SAH3 of the LDP. A lot of residents of Chepstow out-migrate for work and therefore when this site was allocated through the LDP process it was considered important to provide employment opportunities within the site. Since the allocation, the economic climate has changed. There is land available for industrial development on the Newhouse Farm site to the south of Chepstow and the Fairfield Mabey site could focus more on small start-up units and office development. It is important that employment land is made available within the site to compensate for the jobs which have been lost from the site with the relocation of the business outside the County, although it is not necessary for these jobs to be industrial in nature. A higher number of office-based commercial jobs could be provided on the smaller land area. There is no guarantee that if the policy compliant 3 ha of serviced industrial and business land was provided on site that it would be taken up given that there are other vacant sites within the wider Chepstow area which have better access. The land and commercial opportunities within Brunel House will provide significant employment opportunities and this is more realistic. It is more beneficial that the site comes forward with a reduced amount of (viable) employment land than come forward with an unrealistic allocation of such land.

## 5.7 Flooding

5.7.1 Part of the site, the northern section and a strip of land adjacent to the river lies within Zone C2 as defined by the Development Advice Maps (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). The proposal is for a mixed use development mainly comprising housing. Residential development is classified as vulnerable development and it is for the applicant to demonstrate through the submission of an FCA that the consequences of flooding can be managed over the life time of the development. The applicants have submitted an FCA and NRW is generally comfortable with its conclusions. NRW has requested further details, regarding the modest raising of ground levels under the Brunel Bridge.

5.7.2 NRW have advised that the FCA is updated with analysis to quantify the conclusion that there will be 'no significant impact' resulting from the raising of ground level at Severn Princess Park to 9.3m AOD. TAN15 is clear that there should be no increase in flood risk elsewhere as a result of the proposed development. This additional information has been requested prior to determination and should demonstrate the impacts of this raising.

5.7.3 NRW's further comments will be reported as late correspondence.

## 5.8 Affordable Housing

The Council's policy on affordable housing reflects national guidance and current practice. It sets targets but makes it clear that delivery of those targets will be subject to tests on scheme viability. Where viability is an issue then the targets will sometimes need to be reviewed and adjusted if other planning objectives are to be met.

In this case the viability of the site has been assessed and independently reviewed for the Council by the District Valuation Services Team (the DVS). The review has concluded that the scheme has a substantial viability issue – and that it cannot be delivered with a policy compliant affordable housing provision mainly because of the significant costs that the development has to bear. The most significant of these costs include the remediation and the sewer diversion/road lowering.

Put against this, the application clearly satisfies a number of important planning objectives, most fundamentally by recycling and transforming previously developed land for a key land use in a highly sustainable and accessible location. This allocated site is a key part of the Council's housing provision, and as Members are aware, even with this site coming forward the Council no longer has a five year housing land supply. Chepstow is identified via the LDP strategy as a main settlement and our housing strategy seeks to prioritise brownfield, urban sites in sustainable locations. In this sense, the Mabey Bridge site arguably our best LDP site allocation, and this proposal offers significant opportunities to not only provide much-needed housing and employment, but also to visually and ecologically improve a large and prominent site and to open this significant part of Chepstow up to public access.

The viability issue is severe and discussions have been carried out to identify the best way of making some provision for affordable housing on the site. The applicants have been mindful of both the viability position and their desire to provide a social and physical legacy to Chepstow, and initially offered to provide a small proportion of low cost home ownership affordable units at 70% of open market value. The sentiment behind this proposal was welcomed however the reality is that the Council's greatest housing need is for social rented accommodation, and in real terms 70% of open market value in Chepstow is not going to assist with the identified housing need as the price will still be out of reach. Following negotiations, Officers have identified the preferred option as the provision of 1.5 acres of clean and serviced development land at a significantly discounted price to the Council. This would be provided in three 0.5 acre parcels phased during the development proposed to be at occupation of the 100<sup>th</sup>, 200<sup>th</sup> and 300<sup>th</sup> dwelling, or with all land provided within 5 years of commencement, whichever is the sooner. This allows the Council to work with two partner RSLs to decide what type of accommodation to build and its tenure, with the affordable housing distributed within the site, not all in a single cluster. The 1.5 acres would accommodate approximately 45 dwellings, which equates to 10% of the site total. The Council would seek to support development of this land with affordable housing via Welsh Government Social Housing Grant. In the specific circumstances facing this application, this proposal has been agreed as the optimum solution by Officers. Given the viability evidence provided, which includes a robust evaluation of all development costs by the DVS, this proposal is considered to be policy compliant.

## 5.9 Green Infrastructure and Biodiversity.

5.9.1 The site itself, including the quarry, has a wide range of habitats and ecological assets. Most of the site, excluding the buildings, is self-seeded scrub. There is an important block of trees running north/south along the railway embankment (this is outside the application site on land belonging to Network Rail). This band of trees provides a linear habitat for a variety of bat species. The River Wye, which forms the eastern boundary of the site, is designated as a Special Area of Conservation (SAC) principally for its population of uncommon migratory fish and otters. The banks of the river form salt marshes, mudflats and reed beds. Beaufort Quarry has been designated as a Site of Interest for Nature Conservation (SINC) and contains a wide range of wildlife. The River Wye adjacent to the site is also designated as a RAMSAR site for a variety of waterfowl. A low density population of slow worms are found throughout the site and peregrine falcons, barn owls and other rare species are known to use the site. It is for this reason that an extensive range of 'blue and green infrastructure' is to be integrated into the site.

5.9.2 It can be seen from the proposed plan that a considerable proportion of the site has been allocated for green and blue infrastructure these include:

An Ecological Park at Beaufort Quarry

A buffer strip of undeveloped land between the River Wye SAC and the built development

The provision of a riverside path to be incorporated into the Wales Coast Path  
Retained and protected salt marsh and mud flat habitats  
A community space with play and sports facilities  
Green corridors throughout the site  
Seasonal ponds  
Pedestrian and cycle paths  
Play area and informal plazas  
Preservation and maintenance of the slipways  
A communal food growing area.

5.9.3 It is proposed that all the public open spaces, play areas, ecological resources and footpaths within the site, including the Wales Coast Path will be maintained by a management company, this has been effectively done on other sites and saves the developers from upfront costs which may render the site unviable. The timing of the strategic landscaping, coastal path and play facilities will need to be phased and this can be controlled by condition. The GI Infrastructure Strategy, which has been submitted as part of the application is an overarching framework. MCC Green Infrastructure Team considers that the submitted scheme represents a positive and ambitious development which is to be welcomed. NRW have reviewed all the information contained in the Environmental Statement related to the designated sites (SAC, SPA and SSSI) as well as the potential impact on protected species and have no objection to the proposal but do request a condition requiring the submission of a management plan to ensure that the mitigation measures such as the habitat corridors are managed long-term. A Habitat Regulations Assessment has been carried out for the site.

#### 5.10 Impact on Network Rail Assets

5.10.1 Network Rail own the railway line to the north and west of the site and also the railway embankment. They state that all buildings need to be at least 2 metres from the railway line and this would be the case. To the north of the site the track is elevated on a bridge and the proposed secondary access will pass below this. The main access into the site passes under the railway by way of a bridge on Mill Lane. It is this bridge that has experienced a number of bridge strikes. The road under the bridge was used by Mabey Bridge for transporting abnormal loads but the height of the bridge restricted the flow of traffic to a single direction. To accommodate the traffic using the development site the access road into the site will be lowered by a metre under the bridge to provide for a two-way 4.1m carriageway with a proposed 4.6m headroom for high-sided vehicles in the centre. These improvements to the bridge would allow for the two-way movement of ordinary traffic under the bridge and high-sided vehicles would have to use the centre of the carriageway. These improvements should reduce the incidents of bridge strikes. The lowering of the road will result in several utilities including a water main having to be altered.

#### 5.11 Impact on Heritage Assets

5.11.1 There is a rich industrial heritage on this site, although many of the buildings have been altered over time. It is proposed to demolish all of these except for Brunel House which is a Grade II listed building dating back to 1851. The other buildings on the site do not retain sufficient original character to warrant their retention Brunel House and its setting will be retained and incorporated into the development, most likely as office accommodation. A public square will be provided in front of the building which will help to protect its setting. Any alterations to Brunel House would require listed building consent. The other important historical asset on the site are the slipways which were used to launch new ships and steel work for the first Severn Crossing. It is proposed to leave the slipways clear of development and to reconstruct one and preserve the other three. The proposed development of the site includes a form of public information/ interpretation to be put in situ to help document the history of the site. The piers and abutments to Brunel's Wye Bridge are also listed and are in

the area of community open space proposed for the northern end of the site but these will not be affected by the proposal. The proposal, overall is well considered in relation to the context and character of Chepstow.

5.11.2 The addendum to Chapter 14 of the Environmental Statement acknowledged that the surviving slipways are of National Importance. The changes to the Masterplan will see overburden removed from the slipways and the three northern ones being left as part of the parkland waterfront. Slipway 4 will be refurbished with interpretation added to explain the history of the site. The proposed changes will have a slight positive direct impact on the historic structures. However the demolition of the Machine Shop that relates directly to the slipways and the construction of the new residential development replacing the current industrial surroundings will have a moderate adverse impact on the setting of the slipways. Consequently, when the advantages of the direct impacts on the slipways are compared to the adverse impact on the setting of the slipways, Cadw concludes that overall there is a negligible adverse impact on the historic slipways.

5.11.3 The Machine Shop building was originally created in 1919 and was the only new enclosed building created as part of National Shipyard no.1. It has been altered since then but the remaining structure shows the original roof configuration. If the building was intact, it would have met the criteria for statutory designation, however the changes and alterations means that it no longer meets the criteria to be considered as nationally important.

5.11.4 PPW advises us that the conservation of archaeological remains is a material consideration and that with Nationally Important features such as these, the impact on the setting should be taken into account and that there is a presumption in favour of keeping the remains in situ. In this case some of the historic setting will be lost as a result of the proposed development but this must be balanced with the fact that after the development, the public will have better access to the restored slipways and this will be complemented by there being comprehensive interpretation of the historic significance of the slipways being provided on site. The LPA consider that it is vital for this development to go ahead, not only because it would provide much needed homes but it will also clean up a brownfield site. The proposal has been altered in the course of the application and development moved away from the slipway. The restoration and interpretation of the slipways making them available to the public more than outweigh the slight adverse impact caused to the setting of these structures as a result of the development. On balance the development would be beneficial for the historic slipways.

## 5.12 Education and Other Services

5.12.1 MCC Education Officers have stated that there are sufficient spaces available within the existing primary and secondary schools in Chepstow to accommodate this scale of development. There is a formula, adopted by Education Services, that calculates that every 100 new homes built will generate 21.7 primary pupils. So this development of 450 dwellings would require 98 primary school places. Thornwell School currently has 115 surplus spaces. All the dwellings on the site would be within the 2 mile statutory walking distance (measured using available routes, not as the crow flies). There is also surplus capacity in the Chepstow Secondary School.

5.12.2 When this site was allocated in the LDP the capacity of other services such as health and leisure facilities would have been taken into account. This site offers a very sustainable location with a range of services being offered within walking distance of the proposed development.

## 5.13 Recreation Provision

5.13.1 It is proposed to provide one Neighbourhood Equipped Area for Play (NEAP), one multi-use games area (MUGA), one Local Equipped Area for Play (LEAP) and three Local Areas for Play (LAP's) within the site. These will be provided by the developers and maintained by a management company in perpetuity. In addition to these there are several areas of public open space and informal recreational provision. Policy CRF2 of the LDP states that proposals for new residential development should provide appropriate amounts of outdoor recreation and public open space in accordance with the NPFA minimum standards and make provision for allotments. The level of provision proposed by this development exceeds those minimum standards. In addition the informal recreational space provided on the site including that provided at the quarry, will exceed the minimum requirements. The informal and formal recreational spaces form an integral part of the development; their details and implementation will be secured as part of the reserved matters applications and will be phased in line with the rest of the development. The cycleways, footpaths and informal recreational provision will be for the benefits of adults as well as children. The public open spaces provided on the site will be integrated and provide opportunity for biodiversity enhancement, ecological connectivity and pedestrian and cycle access both within the site and also linking into adjacent residential areas. While formal allotments are not being proposed within the site, an area has been set aside as a communal food growing area. In light of the high levels of on-site recreational provision, including a section of coastal park to link into the Wales Coast Path and the marginal viability of this site resulting from it being a contaminated Brownfield Site, it is not proposed to require a financial contribution from the developers for offsite adult recreational provision. While the residents of the new development may increase demand on the sports facilities in Garden City the viability of the whole site could be put at jeopardy if a financial contribution was required.

#### 5.14 Environmental Health Issues

5.14.1 Apart from the air quality matters on Hardwick Hill, discussed above, there are other Environmental Health issues related to the contamination of the site and disturbance from construction. The Fairfield Mabey site has been in use for heavy industry for over 100 years. During that time buildings of asbestos have been constructed and the soil and groundwater have been contaminated. As part of the Environmental Statement submitted with the application a Geo-Environmental Assessment and Contamination Report was included. This has been reviewed by MCC Environmental Health officers. Contamination has been identified in both soil and groundwater and further intrusive investigation will be required. In addition the desk study identified potential sources of gas and vapour. It is anticipated that a gas and vapour sampling/monitoring regime will be necessary. Due to both the confirmed soil and groundwater contamination, the potential for further contamination elsewhere on the site, and the potential for gas and hazardous vapour generation, it is recommended that a site investigation and risk assessment procedure be undertaken by the developer in accordance with CLR11 "Model Procedures for the Management of Land Contamination".

In this light, Environmental Health officers consider that the site can be developed but recommend conditions relating to the decontamination of the land and its ongoing monitoring. This is a standard approach and one which is used for many previously developed sites.

5.14.2 The Environmental Statement also included a chapter on Noise and Disturbance during the construction phases. Possible temporary impacts of construction on the amenity of the neighbouring residential areas will be mitigated through planning conditions. A condition requiring a Construction Environmental Management Plan (CEMP) will be imposed to control such things as construction methods, hours of operation and phasing. This will help to reduce the impacts of noise and disturbance during the construction phase. The Environmental Health officer is satisfied with this approach.

#### 5.15 Residential Amenity



5.15.1 Due to the location of the site with the River Wye to the east and the railway line, embankment and cliffs to the west there is very little amenity impact on existing residential communities. The properties most affected by the proposal are those in Wye Bank Road in Sedbury. Although those properties are on the opposite side of the river they will be able to see into the site. Given the distances involved though there will be no significant overlooking or loss of outlook. Those properties may be slightly affected by dust and noise during the construction phases but the impacts of these will be mitigated by the provisions made in the CEMP and this will be controlled by condition. The residential properties in Thornwell and Bulwark are set at a much higher level and will not be impacted by the proposal. The properties in Garden City are separated from the proposed development by the railway embankment although there would be a pedestrian link under the railway line linking the proposed site with the playing fields on Hardwick Avenue. The properties on School Hill may be potentially affected by the proposal due to the increase in traffic using Station Road. However the impact of this has been looked at in detail as part of the Transport Assessment and found to be acceptable.

#### 5.16 Drainage and Water Supply

5.16.1 It is proposed that all the foul flows from the site would be discharged into existing public sewers which already cross the site. A hydraulic modelling assessment of the site has been undertaken by the developers to assess the ability of the existing sewers to accommodate the proposed development. The capacity was found to be acceptable and Welsh Water confirm that, with some reinforcement work funded by the developer, the existing public sewers would be able to deal with the foul water discharged by the new development.

5.16.2 A Drainage Strategy has been submitted as part of the application. Surface water from land and highways will utilise sustainable drainage techniques with swales and attenuation ponds being used before the water is eventually discharged into the River Wye. Welsh Water welcomes this approach but is concerned that sufficient access is provided to allow for maintenance of the assets on or close to the site.

5.16.3 Welsh Water have several strategic assets crossing the site and a main sewer running under the railway bridge at the entrance to the site. The exact position of these assets is not known. Welsh Water and the applicants have been involved in ongoing discussions regarding the impact of the development on these assets. At this outline stage the layout of the proposal is only indicative. At the reserved matters stage the layout will be finalised and careful consideration will be given to avoid Welsh Water Assets. This is not a reason for objecting to the development at this outline stage.

#### 5.17 Other Issues Raised

5.17.1 Local residents have raised many issues. Most have been considered in detail in the report above, but the other issues raised will be considered here. The development of this site will not impact on the natural beauty of the Wye Valley. This site can not be seen from the Wye Valley AONB which is to the north and west of Chepstow. There will be four pedestrian accesses into the site; at this outline stage there are no details on the widths of these footpaths but when considering the reserved matters it can be ensured that the footpaths are made up to adequate standards. The discussion about a bypass for Chepstow has long been debated. The increase in traffic from this development is insufficient to justify a bypass. This application is not considering a bypass and there is no funding available for this. It has been suggested that there is radon gas in the quarry. Environmental Health Officers are aware of the potential for gas and vapour emissions and have recommended that a sampling and monitoring regime be carried out. The secondary access into the site though the Osborn site could lead to an increase in traffic using Lower Church Street. It is suggested by the applicants that this

secondary access will only be lightly used; however there is a possibility that the proposal will result in more traffic passing through Lower Chepstow. Local residents have also referred to the impact on tourism and on the vitality of the town centre resulting from the proposed development. As a result of this development the number of people visiting the town centre is likely to increase and this will help to stimulate the town centre by increasing the footfall. The riverside walk and historical interpretation of the site will encourage tourism into the area. It has also been suggested that more football pitches are required in Chepstow; it is recognised that more facilities would be desirable, but the viability of this development is so marginal that there are no extra funds available to provide a financial contribution for off site recreational provision.

#### 5.18 Conclusion

This site has been allocated as a strategic development site within the adopted LDP and therefore the principle of the development is already established. The site can accommodate up to 450 dwellings while still providing a considerable amount of green and blue infrastructure. Redevelopment of this brownfield site is preferable to new development on a greenfield site. It will help to regenerate this area of Chepstow and complies with the national and local objective of providing sustainable development. Welsh Government Traffic Division is satisfied that, with the proposed junction improvements, the highway network can accommodate this scale of development.

#### 5.19 Well-Being of Future Generations (Wales) Act 2015

5.19.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WCFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

### **6.0 RECOMMENDATION: Approve subject to the applicants entering into a 106 Legal Agreement requiring:**

- 1. Transfer of 1.5 acres of clean and serviced land to Council in three parcels and at agreed discount for provision of affordable housing**
- 2. An agreement that all the public open space, play areas and coastal footpath is maintained in perpetuity.**
- 3. Funding for a Travel Plan co-ordinator.**
- 4. Employment Land – The employment land shall be marketed as available for development no later than the occupation of 40% of the total number of units permitted. The access road and services to the site shall be installed prior to the marketing.**

**And to enter into a Section 278 Agreement of The Highways Act 1980 to cover**

- 1. For the Station Road / A48 Junction Improvements as indicated on Drawing No. [Insert number] to be completed prior to the occupation of the 101st dwelling.**
- 2. For the Station Road / A48 Junction Improvements as indicated on Drawing No. [Insert number] to be completed prior to the occupation 451st dwelling.**
- 3. For the Lowering of Mill Lane, the road under Network Rail Bridge, to be completed in accordance with plans to be approved prior to the occupation of the 1st dwelling.**

- 4. For the improvement of the Station Road / Mill Lane / Exmouth Place / School Hill junction and completion of the works at a time to be agreed following detailed analysis of the traffic impact of the development on traffic flows through the junction.**
- 5. Highway Link to Osborn Development**
- 6. Hardwick Avenue, Mill Lane and Lower Chepstow (Osborn Development) Pedestrian and Cycling Links**

#### Conditions

1. Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping for each part of the development (hereinafter called an element/phase) shall be obtained from the Local Planning Authority prior to any works commencing on that element/phase.
2. a) Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
b) The development hereby approved must be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- 3 The development shall be carried out in accordance with the list of approved plans set out in the table below.
- 4 In conjunction with the submission of the first of the reserved matters, a phasing strategy for the whole site shall be submitted to and approved in writing with the LPA. The implementation of the site shall be undertaken in accordance with that phasing strategy.
- 5 No development shall take place until the applicant or their agents or successors in title, have secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the LPA. Thereafter the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.
- 6 Details of the proposed pedestrian and cycling improvements and links to Lower Chepstow, Mill Lane and Hardwick Avenue shall be submitted to and approved in writing with the Local Planning Authority pursuant to the submitted of the reserved matters related to that phase on development. The development shall be carried out in accordance with those approved details.
- 7 Prior to any works commencing on site a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the local planning authority, which shall include traffic management measures, hours of working, measures to control dust, noise and related nuisances, and measures to protect adjoining users from construction works. The development shall be carried out in accordance with the approved CTMP.
- 8 No development other than demolition and remediation works shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in

accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.

- 9 No development other than demolition and remediation works shall be commenced until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed. The development shall be carried out in accordance with the agreed details.
- 10 No development shall commence on site until a detailed surface water management scheme, which shall include the programme for its implementation, has been submitted to and agreed in writing by the Local Planning Authority; the development shall be carried out in accordance with the agreed details prior to first occupation of the associated dwelling/building.
- 11 Pursuant to the submission of Reserved Matters for layout and appearance for each phase, detailed measures are to be submitted for ensuring an adequate level of protection from road traffic to the occupiers of all proposed properties. The extent of location 1 defined as L1 in Report Ref 238174 shall be agreed and approved as acceptable prior to construction commencing on site. The approved measures shall be completed in their entirety prior to occupation of the associated dwelling. (EHO)
- 12 A Travel Plan shall be submitted prior to the commencement of and development on the site. The Travel Plan shall be regularly reviewed as the development proceeds.
- 13 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Consequences Assessment (FCA) prepared by JBA consulting, dated October 2014 and the following mitigation measures detailed within the FCA:
  - Ground levels, other than open space and recreational walkways as agreed with the local planning authority, must be set no lower than 10.6 metres above Ordnance Datum (AOD) (Newlyn) and finished flood levels of buildings must be set no lower than 10.75 metres above Ordnance Datum (Newlyn) unless agreed in writing with the local planning authority. Reason: To reduce the risk of flooding to the proposed development and future occupants.
- 14 No part of the development hereby permitted shall commence until:
  - a) An appropriate Desk-Study of the site has been carried out, to include a conceptual model and a preliminary risk assessment, and the results of that study have been submitted to and approved in writing by the Local Planning Authority.
  - b) If potential contamination is identified then an appropriate intrusive site investigation shall be undertaken and a Site Investigation Report to BS 10175:2011, containing the results of any intrusive investigation, shall be submitted and approved in writing by the Local Planning Authority.
  - c) Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, a Remediation Strategy, including Method statement and full Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority.No part of the development hereby permitted shall be occupied until:
  - d) Following remediation a Completion/Validation Report, confirming the remediation has been carried out in accordance with the approved details, shall be submitted to, and approved in writing by, the Local Planning Authority.

e) Any additional or unforeseen contamination encountered during the development shall be notified to the Local Planning Authority as soon as is practicable. Suitable revision of the remediation strategy shall be submitted to and approved in writing by the Local Planning Authority and the revised strategy shall be fully implemented prior to further works continuing.

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

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

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

16. Prior to the commencement of any phase of development, the preparation and implementation of a Construction Environmental Management Plan (CEMP) for that phase of the site shall be submitted to and approved in writing with the LPA. The development shall be carried out in accordance with the approved details.

17. Preparation and implementation of a site wide ecosystems services and Biodiversity Management Plan shall be submitted to and agreed in writing with the LPA, to ensure that retained and created habitats are appropriately managed for the lifetime of the development .(NRW)

18. Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1. A preliminary risk assessment which has identified; - all previous uses; - potential contaminants associated with those uses; - a conceptual model of the site indicating sources, pathways and receptors; - potentially unacceptable risks arising from contamination at the site. 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved. (NRW)

Reason: The controlled waters at this site are of high environmental sensitivity and contamination is known at the site from previous uses.

19 Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation for that phase shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling

and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To demonstrate that the remediation criteria relating to controlled waters have been met and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site. (NRW)

20. Condition Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the local planning authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site. (NRW)

21. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason Given the size/complexity of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated. (NRW)

22. A lighting plan which ensures that green infrastructure remains unlit shall be submitted to and agreed in writing with the LPA. The development shall accord with this approved lighting scheme.

23. An otter method statement which should include, but not be limited to, pre-works checks, timing of works, measures to avoid killing and injuring otters, and measures to be taken in the event that otters are encountered during the course of the works shall be submitted to and agreed in writing with the LPA. The approved method statement shall then be implemented.

24. A Construction Environmental Management Plan (EHO) – taken care of already

25. Phasing of GI and recreational provision.

26. The first reserved matters application shall include details of a foul drainage scheme to serve the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate how the site will be effectively drained and ensure that the existing public sewerage network can suitably accommodate the proposed development site. The scheme shall be implemented in accordance with the approved details and any reinforcements to the public sewerage network identified by the Hydraulic Modelling Assessment, shall be constructed and completed in full prior to the communication

of any flows with the public sewer network and be retained for the lifetime of the development.

Reason: To prevent hydraulic overloading of the public sewerage system, protect the health and safety of existing residents, ensure no pollution of or detriment to the environment and to ensure the site can be effectively drained. (WW)

27. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment. (WW)

28. The proposed development site is crossed by several public sewers. The positions shall be accurately located, marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of each public sewer up to an including 600mm and 6 metres either side of the centreline of each public sewer greater than 700mm internal diameter

Reason: To protect the integrity of the public sewer and avoid damage thereto, protect the health and safety of existing residents and ensure no pollution of or detriment to the environment. (WW)

29. No more than 450 residential units are to be constructed on the site. If any of the reserved matters applications take the total number of dwellings to more than 450 units then a revised transportation assessment and viability/planning obligations appraisal shall be submitted to and agreed in writing by the Local Planning Authority.

30. The height of the land indicated hatched on plan no..... shall be set at 9.3m AOD, and shall be retained at that height in perpetuity in order to maintain a conveyance route through this area and prevent a risk of flood risk elsewhere. NRW

31. Prior to any work commencing on site, a surface water strategy to cover the whole site shall be submitted to and approved in writing with the LPA. The development shall be carried out in accordance with the approved strategy, MCC Highways

Conditions submitted by GI and Ecology

32. Owners Construction Environmental Management Plan

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan for the site owner (Owner's CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall build upon the principles of the submitted Guidance for the Development of Owner's Construction Environment Management Plan and include the following:

- a) purpose and scope
- b) Overall project description
- c) Project phasing
- d) Provision for environmental protection
- e) Environmental assets to be protected
- f) Risk assessment of potentially damaging construction activities
- g) Identification of "biodiversity protection zones"
- h) Requirements for Environmental Management including practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- i) The location and timing of sensitive works to avoid harm to biodiversity features

- j) Detail of protective fences including the riverside hoarding, exclusion barriers and warning signs
- k) Detail of the storage and preservation of topsoil from species rich grassland for re-use on site
- l) Environmental monitoring & reporting environmental incidents
- m) Responsible parties and lines of communication
- n) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

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

Reason: To safeguard interest features of protected sites in accordance with the Habitats Regulations Assessment. (MCC Biodiversity)

33. No development shall commence on site (including demolition, ground works, vegetation clearance) until a detailed surface water management scheme, which shall include the programme for its implementation, has been submitted to and agreed in writing by the Local Planning Authority; the development shall be carried out in accordance with the agreed details.

Reason: To safeguard interest features of protected sites in accordance with the Habitats Regulations Assessment.(MCC Biodiversity)

34. RM Construction Method Statement to be linked and compliant with the owner's CEMP No development shall take place (including demolition, ground works, vegetation clearance) during each development phase until a construction method statement for the site contractor (CMS Biodiversity: site contractor) is submitted to and approved in writing by the local planning authority. The CMS (Biodiversity) shall comply with the Owner's Construction Environment Management Plan and include the relevant detail for that development phase. The approved CMS shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard interest features of protected sites in accordance with the Habitats Regulations Assessment.(MCC Habitats Regulations)

35. Reserved Matters applications shall be accompanied by, a "lighting design strategy" to be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for protected and priority species and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.
- c) details of lighting fixtures and fittings / lighting features shall be provided including technical specifications
- d) demonstrate though the provision of appropriate lighting contour plans and technical specification that areas important for biodiversity will not be adversely illuminated by internal light spill from buildings.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To safeguard interest features of protected sites in accordance with the Habitats Regulations Assessment and in the interest of maintaining the amenity value of the proposal.



37. No development shall commence until the role and responsibilities and operations to be overseen by an appropriately competent chartered ecologist / environmentalist have been submitted to and approved in writing by the local planning authority. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To safeguard ecological considerations at the site including Protected Sites and Protected and Priority Species.

38. Prior to submission for Reserved Matters, a scheme for the ongoing survey and monitoring of key ecological receptors shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) Detail of key ecological receptors to be monitored / surveyed
- b) Methodology for monitoring / surveys to be in accordance with nationally recognised good practice guidelines
- c) Intervals and phases for monitoring / surveys of each ecological receptor

The scheme of monitoring / survey shall be thereafter implemented in full and reports produced and submitted to the Local Planning Authority within 3 months of completion. The results of monitoring / survey shall be used to inform the Construction Environment Management Plan and Ecological Design Strategy implementation.

Reason: To safeguard ecological considerations at the site including Protected Sites and Protected and Priority Species.

40. No development shall take place until an ecological design strategy (EDS) addressing ecological mitigation, compensation and enhancement of ecological receptors included in the submitted Environmental Statement including the Addendum and Guidance for Development of Owner's Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used e.g. retained topsoil and materials for refugia
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To safeguard ecological receptors at the site including Protected Sites and Protected and Priority Species. (MCC biodiversity)

41. A Green Infrastructure Management Plan shall be submitted to, and be approved in writing by, the local planning authority with the reserved matters application. The content of the Management Plan shall incorporate the proposals as set out in the Indicative Landscape Strategy (24.6.17 Drwg no LP1985-FIRA-10-P-0010), Indicative GI strategy (16.6.16 Drwg no EIA fig 4.3B. Ref should also be made to the GI management guidance document attached. The GI Management Plan should include the following;

- a) Description and evaluation of Green Infrastructure assets to be managed to include as a minimum :
  - i) Riverside Park
  - ii) Buffer strip of undeveloped land between SAC and development

- iii) Thorny and continuous native hedge
- iv) Riverside pathway
- v) Retained and protected salt marsh and mudflat habitat
- vi) New community nature reserve in Beaufort Quarry
- vii) Community Spaces for play, sports, orchards, allotments
- viii) Green corridors
- ix)

- b) 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) Trends and constraints on site that might influence management
- h) Details of the body or organization responsible for implementation of the plan.
- i) Ongoing monitoring and remedial measures.

The Management Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the Green Infrastructure Management Plan are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning Green Infrastructure objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To maintain and enhance Green Infrastructure Assets in accordance with LDP policies, DES1, S13, G11, NE1, EP1 and SD4, The Well-being of Future Generations Act 2015 & Environment (Wales) Act 2016.

Reason: To ensure the provision afforded by appropriate landscape design and Green Infrastructure (MCC)

#### 42. Access Strategy

An Access and circulation strategy shall be submitted to, and be approved in writing by, the local planning authority with the reserved matters application. The content of the Access strategy shall include the following;

- a) Availability of the proposed coastal path including ownership and management details
- b) Details of dimensions, materials and typical sections of the Riverside Park path
- c) Detail of the connectivity of this route beyond the application site
- d) Detail of access to Beaufort Quarry e.g. ownership, site access restrictions and proposed management of the public access.
- e) Management and access arrangements for the orchard, allotments and community food growing areas

Reason :To ensure the provision afforded by appropriate landscape design and Green Infrastructure

#### 43. Development Phasing Plan

A detailed Phasing Plan shall be submitted to, and be approved in writing by, the local planning authority pursuant to the reserved matters application for landscaping for that phase. The content of the Phasing Plan shall reflect the Project Phasing Plan Figure 1.3 (the latter incorporated within the CEMP) and include the following;

- a) Details and programme of when all the areas of strategic GI planting/assets will be completed, this will include all those assets identified in the GI Management plan condition under bullet a) points i-viii.

- b) Confirmation that all these areas sit outside private ownership.
- c) Strategic planting to be carried out as part of Phase 1 of the development.

Reason : To ensure the provision afforded by appropriate landscape design and Green Infrastructure.(MCC)

#### Informatives:

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

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

#### Network Rail Comments

A strategic plan should be submitted before any reserved matters applications are determined to indicate the parts of the site to be raised. This plan should include the design flood events that have been assessed in the FCA to demonstrate the raising will be sufficient. The plan should also include the different uses (and their vulnerability in line with TAN15) of the different areas.

Follow the risk management framework provided in CLR11, Model procedures for the management of land contamination, when dealing with land affected by contamination. - Refer to the Environment Agency Guiding principles for land contamination for the type of information required in order to assess risks to controlled waters from the site. The local authority can advise on risk to other receptors, e.g. human health. - Refer to the website [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) for more information.

BATS - Please note that Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately (0300 065 3000).

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

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 immediately.

Otter - Please note that otters are protected under The Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This protection includes otters and places used for resting up, breeding, etc. whether an otter is present at the time or not. If otters are disturbed during the course of works, all works must cease and Natural Resources Wales contacted immediately.

Badgers - Please note that Badgers are protected under the Protection of Badgers Act 1992. It is illegal to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or attempt to do so; to intentionally or recklessly interfere with a badger sett by damaging or destroying it; to obstruct access, or any entrance of, a badger sett and to disturb a badger when it is occupying a sett. To avoid breaking the law, follow the advice provided by the consultant ecologist and if work is within 30m of a sett consult with Natural Resources Wales.