

**DC/2016/00041**

**THE PROPOSAL SEEKS TO PROVIDE A CARPARK, ALONGSIDE WYEBRIDGE STREET, WITH CAPACITY FOR 39 SPACES; THE SITE IS CURRENTLY A GREENFIELD AREA**

**WYEBRIDGE STREET, MONMOUTH, NP25 3DL**

**RECOMMENDATION: APPROVE**

Case Officer: Jo Draper

Date Registered: 11/02/2016

## **1.0 APPLICATION DETAILS**

- 1.1 This application proposes a 39 space car park with ancillary works on and adjacent to Wyebridge Street. This application has been subject to significant amendments. Originally the proposal was for 44 spaces but amendments have been sought to secure the retention of an important lime tree together with a new lighting scheme that met with conservation and ecological requirements.
- 1.2 The site currently accommodates eight mature trees, two of which are to be felled, and these would be replaced with three suitable alternatives (two pin oaks and one pear) resulting in no net loss of trees on the site. The parking spaces are to be 'grasscrete' and the area would be planted up with native species to soften the development. Rain gardens are being introduced to increase more species diversity on the site and provide habitat for pollinators
- 1.3 The application site previously was considered to be within a C2 flood zone and on review this has been changed to a C1 flood zone, which is *defended* flood plan. In addition the proposed development is regarded as non-vulnerable development in respect of TAN15.
- 1.4 There are two separate access points (one way in and out) onto Wyebridge Street (which is a one way street).
- 1.5 There is a height restriction barrier at the entrance and egress into the site, preventing vehicles that are higher than 2.3m accessing the car park.
- 1.6 The application site is situated within the Monmouth Conservation Area, is adjacent to the 16<sup>th</sup> Century Grade II listed public house, The Queens Head Inn, as well as Monmouth School.
- 1.7 The application has been submitted by Monmouthshire County Council.
- 1.8 The Design & Access Statement that was submitted with this application states the following:
  - The proposal for introducing a car park facility seeks to supplement the often over-subscribed 526 spaces within Monmouth. This follows on from the parking strategy reports commissioned by MCC covering Monmouth and surrounding key towns which identified a consistent demand for parking places recorded over the period since 2009.
  - The adjacent properties include the 16<sup>th</sup> Century Grade II listed public house known as the Queens Head Inn as well as Monmouth School
  - The footpath arrangement reinforces pedestrian routes between the Wyesham area of Monmouth to the town centre which is currently served by unsurfaced links and

perceived insecurity (as result of limited street lighting and minimal natural surveillance). Previously a footpath crossed the site, although this has been taken around the outside of the site connecting in with the existing footpath

- The proposal is for the change of use of an area of green space with 76% to be converted to flexible car park construction, flexible footway construction, permeable paving, with landscaping proposed in the form of rain gardens /tree pits.
- Six of the eight existing trees are to remain, whilst an additional three trees are to be planted
- It is proposed to provide a 2.5m wide footway linking the existing subway feature, this has been designed to retain the existing mature trees as far as possible (minimising the impact on root protection zones)
- The lighting of the site is via three 4m high matt grey powder coated double arm lighting columns. These will be situated in the central part of the car park. In the landscaped area where the existing trees are being retained there are 8 lighting bollards proposed.

## **2.0 RELEVANT PLANNING HISTORY**

None.

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### Strategic Policies

S12: Efficient Resource Use and Flood Risk

S13: Landscape, Green Infrastructure and the Natural Environment<sup>4</sup>

S16: Transport

S17: Place Making and Design

### Development Management Policies

SD3 Flood Risk

EP1 Amenity and Environmental Protection

EP3 Lighting

DES1 General Design Considerations

HE1 Development in Conservation Areas

GI Green infrastructure

## **4.0 REPRESENTATIONS**

### 4.1 Consultations Replies

Monmouth Town Council: Approve

Welsh Water: No objection to proposal; recommend a condition to be imposed relating to surface water and land drainage.

Natural Resources Wales: Object due to lack of information

The application site lies entirely within Zone C1, as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Our flood map, which is updated on a quarterly basis confirm the site to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Wye, a designated main river.

Cadw: The proposed development will not have an adverse impact on the scheduled ancient monuments and is unlikely to have an impact on the setting of designated assets

Gwent Glamorgan Archaeological Trust: Recommend a condition requiring development brief under a watching brief condition.

A review of historic mapping of the area indicates that the area contained numerous structures fronting onto both Wyebridge Street to the south-west and Granville Street to the south-east (now the A40), as well as open spaces and garden areas. Whilst the ground intrusion works necessary for the construction of a car park are likely to be limited in scale, there remains a possibility that the works may encounter such remains. Furthermore, due to the proximity of the River Wye, there is the possibility of encountering waterlogged deposits which could contain important paleo-environmental information.

Therefore it is our recommendation that a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource, this programme of works should take the form of a watching brief during the groundworks required for the development.

MCC Highway Engineer: No objection I have reviewed the latest proposals submitted in support of this application and I do not offer any objections to the proposal I would wish to make the following comments and observations;

The original joint means point of access and egress has been emended to accommodate existing trees thus creating what I consider is an unnecessary and over engineered independent means of access and egress.

The proposal to introduce a footway abutting Wyebridge Street is not thought considered the most commodious as the direction of travel for pedestrians using the A40 underpass is directly through the proposed car park and as proposed previously on earlier layouts.

I would question whether the introduction of a single lockable bollard will prevent inappropriate use of the car park from Granville Street.

The use sustainable drainage measures and the introduction of permeable paving and rain gardens to manage the surface water generated on the site are welcomed

MCC Tree Officer: I am pleased to see that Tree 5 (Lime) which it was originally intended to remove is now being retained. The Detailed Arboricultural Report from WSP is satisfactory. A relevant tree protection condition is recommended.

MCC Landscape Officer: Following changes made to the layout; which retained trees of townscape merit and reduced the proposed illumination (to low level lighting) – we would support the proposed development.

MCC Biodiversity Officer:

River Wye SAC (River Wye SSSI) The development site lies 64m from the River Wye SAC (Management Unit 1c) which lies to the south-east, separated by the A40 dual carriageway. Wye Valley and Forest of Dean Bat Sites (WVFOD) SAC The development is 1.6km from the nearest unit of the bat site SAC. Lesser horseshoe bats and Greater horseshoe bats could be affected by the scheme.

SUDs Methodology to be employed on the site. These measures have the capability to filter substances and thus reduce risks to changes in water chemistry as a result of pollution. With these measures in place, the potential magnitude of the effects on the River Wye SAC is not considered to be significant. Pre-commencement conditions have been agreed with the agent which include a robust Construction Environment Management Plan (CEMP) which will address appropriate (minimal) lighting throughout the construction period.

The site currently accommodates 8 mature trees, 2 are to be felled, and these will be replaced with 3 suitable alternatives (2 pin oaks and one pear) resulting in no net loss of trees on the site. The parking spaces are to be grass-crete and seeded with native species

to allow for a continued green space. Rain gardens will introduce more species diversity on the site and provide habitat for pollinators.

Appropriate lighting design will be imperative to avoid any significant effect on the SAC as a result of the development. The updated lighting plan (referenced above) detailing the use of bollards in the most sensitive areas of the site and lower level columns (4m high) with reduced lux level and light spillage will maintain darker areas over potential commuting/ foraging routes. A condition is recommended to ensure strict compliance with the lighting plan and technical specifications. With these measures in place, the potential magnitude of the effects on the WVFOD Bat Sites SAC is not considered to be significant.

Welsh Government Trunk Road: No objection to development

Monmouth District Chamber of Commerce: over the last 10 years the Chamber has lobbied for a car park to free up space in the oversubscribed short stay Glendower Street car park. Visitors spend an hour at peak time trying to find a car parking space

More car parking at the Shire Hall end of town will help the independent businesses of Church Street, Priory Street and Beaufort and Swan Courts

In a town bounded by two rivers and the A40 dual carriageway we consider this the only space available at the Shire Hall end of Monmouth to create a reasonable level of new car parking spaces.

Air quality report consultants indicate that the car park will create no measurable increase in levels of Nitrogen Dioxide.

Car park will benefit pubs, restaurants and theatres at the Shire Hall end of town.

Car park should alleviate increased demand for on street car parking from the new Llangattock Court Development.

#### 4.2 Neighbour Notification

To date nine representations objecting to the development have been received and nine letters in support. The points raised are summarised below:

- This is a dangerous junction with a real danger that traffic will tail back over the junction (this currently happens when the morning traffic tails back from the turning into St. James Street) leading to a second access via Granville Street.
- Further surface water run-off will result - the footpath currently floods in heavy rain
- Concern raised by Haberdashers regarding the original scheme which proposed to narrow the carriageway on Wyebridge Street; this has now been removed in the most recent scheme
- No provision for safe crossing for children using the underpass
- Car park can only be accessed by traffic from Wyesham or from the southern end of dual carriageway, would it actually be used?
- Other long term car parks are empty
- Undermine the security of the properties on St. James Street
- Loss of green space will be detrimental to the setting of the Listed Buildings
- Proposed low level planting will encourage vermin
- Loss of important open space
- Car park is free yet residents parking in neighbouring Alms Houses all have to pay for parking permits - should this area be used for residents parking only
- Issues raised by neighbour regarding legal covenant for vehicle access; this will now be subject to a height restriction with a 2.3m height barrier at the entrance and egress to the site.
- Increased pollution
- Aggravates an existing air quality problem
- MCC have failed to audit the existing use of car parks

- Provision of the car park appears to be designed exclusively for business owners in the town
- Neighbour has provided an alternative access plan facilitating access into her property for taller vehicles including a mobile home
- Car park will aid people wanting to go to library and one stop shop
- Monmouth is desperate for more car parking particularly at the top end
- Additional spaces are invaluable and will make it easier for all visitors including young families and the elderly
- Independent retailers express support, stating that it compromises business as people are forced to park in the one hour slot resulting in them not taking their time and doing an essential shop
- New car park will improve safety preventing issues of double parking along the main highway

## 5.0 EVALUATION

The application site sits within the Monmouth town development boundary identified in the LDP Proposals Map and therefore the principle of developing this site for a public car park is acceptable subject to detailed considerations. The issues that arise in the consideration of this application are the following:

- Flooding
- Impact upon the setting the Conservation Area
- Highway safety
- Other Issues Raised

### 5.1 Flooding

5.1.1 During the course of this application the land on which the proposal would be located has changed from Zone C2 (undefended) to Zone C1 (defended). Car parks are listed as 'Less Vulnerable Development'. It states in TAN15 Appendix 1 that 'the Environment Agency (now NRW) should be consulted about and will advise on the level of assessment required as part of allocating a site and putting forward a development proposal' which is what has happened in this instance. NRW have requested a Flood Consequences Assessment. However LDP Policy SD3 is the locally relevant policy in relation to flood risk and was accepted by the LDP Inspector at examination. Whilst the first part of the policy relates to highly vulnerable development the second part relates to less vulnerable development (although it doesn't specifically state this). What is relevant in terms of complying with Policy SD3 is that the proposal can be shown to comply with criteria a) to e) of this Policy.

a) *The development is or can be protected by approved engineering works and / or other flood protection measures;*

The application site is situated within a defended flood plain, and the information provided by the applicant states that this site has never flooded since circa 1980; the nature of the river wall and dual carriageway would prevent direct inundation from the river. Furthermore the site has been designed to work on a Sustainable Urban Drainage System, thus retaining the status quo in terms of drainage of the site; the combination of retention of existing green areas particularly around the tree belt and the introduction of porous surfacing materials with grass-crete used for the parking and rain gardens used as the central landscaping area ensure that this site responds positively to drainage issues.

- b) *Such remedial measures would not cause flooding or significantly increase the risk of flooding elsewhere;*

The flood defence measures are already in place; the site has been designed to retain the status quo in terms of site drainage whilst the remedial measures proposed prevent the risk of flooding increasing elsewhere.

- c) *The development, including any remedial measures, can be sympathetically assimilated into the environment in terms of its siting, scale, design and landscaping;* Green Infrastructure has been the main vehicle to ensure the remedial measures are assimilated in a sensitive way. SUDs methodology is to be employed on the site include the following:

- Grass-crete parking spaces
- Rain gardens
- Soakaways
- Native planting – seed mixes
- Reinforcing and utilising existing gully locations
- Linear drainage kerb units
- Permeable paving sub-bases

The use of sustainable drainage measures and the introduction of permeable paving and rain gardens to manage the surface water generated on the site are welcomed and help to ensure that the drainage of the site does not cause flooding or significantly increase the risk of flooding elsewhere, whilst significantly improving the visual amenity of the development within this context.

- d) *The development does not interfere with the ability of the Environment Agency or other bodies to carry out flood control works or maintenance;*

There is no impact upon this

- e) *The nature conservation interest of the water source corridor is protected and, where practicable, enhanced.*

There is no impact upon this.

5.1.2 In terms of flooding therefore it can be concluded that the development complies with Policy SD3. Despite the request for further information from NRW with regard to the requirement for a Flood Consequences Assessment, because of the design of the proposal and its position in a defended flood plain, and the compliance of the proposal with Policy SD3 the proposal is considered to be acceptable in the absence of this information.

## 5.2 Impact upon the setting of the Conservation Area

5.2.1 The application site is situated within a very prominent location, it sits in the forefront of the Monmouth Conservation Area and forms an important open area that is highly visible at the junction of the A40. It is imperative therefore that the development of this site retains this open aspect that exists and that the mature trees that exist on the site that contribute to its character are maintained.

5.2.2 Applying the Council's Green Infrastructure policy has been very important in ensuring that this site is developed in a sensitive way. The proposal has been revised during the course of the application to retain the important mature trees that are intrinsic to the quality of this space while the rain gardens that form the central landscaping space accommodate further planting including tree planting. The engineered infrastructure

has been kept to a minimum with grass-crete used as the main surfacing materials and tarmac being used primarily on just the footpaths.

5.2.3 The lighting infrastructure proposed has been subject to considerable negotiation with just three 4m high lighting columns finished in matt black now proposed which is an appropriate arrangement for the Conservation Area and does not over-dominate the site, particularly when viewed against the backdrop of higher buildings to the west of the site. In addition, lighting bollards are to be used within the open spaces with tree cover.

5.2.4 The proposed development will formalise what is currently an informal open space that accommodates informal desire routes for pedestrians accessing the town centre and schools from the underpass. However, due to the design of the proposal the open aspect has been largely retained and it will continue to function as an important open space that provides an open, attractive forefront to this prominent vista into the Monmouth Town Centre and Conservation Area.

### 5.3 Highway Safety

5.3.1 The Council's Highway Engineer has not objected to the development. There are certain elements that have been questioned as the application has been subject to changes to the access and egress into the site. These have moved further up the site as a result of retaining a key lime tree on the site. The site is fully open to view and surveillance and any inappropriate use of the proposal would be noted immediately. The original plans sought to reduce the width of Wyebridge Street and increase the pedestrian footway width. The revised proposal has removed this from the scheme and Wyebridge Street will remain as it is in terms of width. The Highway Engineer has not raised concern that the proposed access/ egress would result in a backlog of traffic undermining the junction at the A40. From a highway safety perspective the development is considered acceptable.

### 5.4 Air Quality

5.4.1 An air quality report that was submitted with the application concludes that the air quality impact of the proposed development is judged to be 'not significant'.

### 5.5 Economic Development Implications

5.5.1 The proposed development will provide car parking at the northern end of Monmouth Town. There have been numerous letters of support from local businesses as well as the Chamber of Commerce stating that this will ease traffic parking for visitors that wish to access this part of Monmouth. The proposal is sensitively designed and therefore does not undermine the key features which attract visitors into Monmouth whilst providing more choice for visitors and shoppers within the town centre. It can therefore be concluded that the proposal would have a positive economic impact upon Monmouth Town Centre.

### 5.6 Other Issues raised

There is no alternative proposal to access the site from Granville Street. Such a proposal would be subject to planning permission. Legal issues regarding access and a height restriction are not covered under planning legislation.

### 5.7 Response to the Representations of the Community/ Town Council (if applicable) Well-Being of Future Generations (Wales) Act 2015

5.7.1 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**

### Conditions

1. Time Condition (five years in which to commence the development)
2. Compliance with Plans
3. No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.
4. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
  - a) Risk assessment of potentially damaging construction activities.
  - b) Identification of "biodiversity protection zones".
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction including;
    - i. Sensitive minimal lighting during construction
    - ii. Measures to control and prevent spread of INNS (Japanese knotweed)
    - iii. Appropriate avoidance measures to ensure protection of the River Wye SAC from contaminants
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) Responsible persons and lines of communication
  - f) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - g) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

5. All retained trees at the site shall be protected in accordance with the Arboricultural Method Statement found at Section 6 of the Detailed Arboricultural Report by WSP Parsons-Brinkerhoff dated September 2016.
6. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
7. Lighting or lighting fixtures shall be installed in strict accordance with the submitted lighting layout plan "Wyebridge Street proposed lighting layout- Drawing Ref 3512464BC-HHC-002 D revised 13/03/2017" and technical specifications "Outdoor Lighting Report – produced by WSP Parsons Brinckerhoff- Drawing Ref 3512464BC-HHC-005 dated 28<sup>th</sup> February 2017"
8. Landscape Implementation condition.

### Information notes

Construction Environmental Management Plan: (in accordance with the British Standard for Biodiversity BS42020 with regard to Pollution Protection Measures, consideration of the



possible effects on the SACs as highlighted in the Habitats Regulations assessment including reference to Invasive Non Native Species).

**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. Natural Resources Wales (NRW) (0300 065 3000).

**NESTING BIRDS** – Please note that all birds are protected by the Wildlife and Countryside Act 1981. 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.