

Application Number: DM/2018/01050

Proposal: Residential development of up to 111 dwellings, new vehicular access from Monmouth Road and emergency vehicle access to Station Road, public open space and associated landscaping, engineering and infrastructure works.

Address: Land Development off Monmouth Road, Raglan, Monmouthshire

Applicant: C/o Agent

- **Plans:** All Drawings/Plans A107 - Rev C, All Drawings/Plans 20 - Rev A, Block Plan 001 -Block Plan 01 - , Site Layout 23451 00 010 01 - , All Drawings/Plans 002 - , The Green Infrastructure Masterplan Drawing, Great Crested Newt Mitigation Strategy by Tyler Grange LLP, Dormouse Mitigation Strategy by Tyler Grange LLP.

RECOMMENDATION: Approved subject to a unilateral undertaking

Case Officer: Andrew Jones

Date Valid: 26.06.2018

1.0 APPLICATION DETAILS

1.1 This is an outline planning application that seeks detailed approval for access only with all other matters reserved for future consideration. Permission is sought for up to 111 dwellings (35% of which would be Affordable Housing), vehicular access would be provided via a new priority junction onto Monmouth Road with an emergency access to Station Road.

1.2 The application site measures approximately 7.71 hectares and is located to the south of Monmouth Road on the eastern edge of the village of Raglan. The site comprises a single field of semi-improved grassland and scattered mature trees. It is enclosed by established hedgerows, dry and wet ditches and an established tree line. The site slopes steadily down from the north (approximately 50m AOD) to the south (approximately 38m AOD). The north-west site boundary adjoins a community cemetery, with the north and north-east boundaries formed by an established hedgerow fronting Monmouth Road.

1.3 The site lies outside of the development boundary for the Rural Secondary Settlement of Raglan and has accordingly been advertised as a departure to the adopted Local Development Plan. The site is located outside of the Raglan Conservation Area (CA), which is to the north of the site, it contains a number of protected trees and a Public Right of Way exists along the eastern boundary of the site.

2.0 RELEVANT PLANNING HISTORY (if any)

No relevant planning history on the site.

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision

S2 LDP Housing Provision

S4 LDP Affordable Housing Provision

S5 LDP Community and Recreation Facilities

S12 LDP Efficient Resource Use and Flood Risk

S13 LDP Landscape, Green Infrastructure and the Natural Environment

S16 LDP Transport

S17 LDP Place Making and Design

Development Management Policies

H2 LDP Residential Development in Main Villages
CRF2 LDP Outdoor Recreation/Public Open Space/Allotment Standards and Provision
SD4 LDP Sustainable Drainage
LC1 LDP New Built Development in the Open Countryside
LC5 LDP Protection and Enhancement of Landscape Character
GI1 LDP Green Infrastructure
NE1 LDP Nature Conservation and Development
EP1 LDP Amenity and Environmental Protection
EP5 LDP Foul Sewage Disposal
MV1 LDP Proposed Developments and Highway Considerations
MV2 LDP Sustainable Transport Access
MV3 LDP Public Rights of Way
DES1 LDP General Design Considerations

4.0 REPRESENTATIONS

4.1 Consultation Replies

Local Member Councillor Penny Jones - Whilst I recognise the need for housing, and in particular affordable housing, I am concerned about the application for a site outside the LDP of 2014. This could potentially allow for applications to be submitted on LDP sites which could run alongside this application and the implications for the village would be immense.

The proposed development of 111 houses will have an effect on the Infrastructure -

Highways:

- The main thoroughfare in Raglan is already busy with a large amount of traffic passing through it, particularly at peak times.
- The A40 entrance and exit at the top of Monmouth Road is a cause of concern and the Welsh Government has been asked on several occasions to survey the risks attached to it. We were told at the Consultation meeting that there were no records of any accidents on this crossing which is untrue. There have been serious accidents as well as many near misses and this will be exacerbated with the extra traffic flow.
- The large number of extra residents in the village (also taking into account the new development of 45 houses on Chepstow Rd), will put a strain on the Surgery.
- Although the influx of pupils will be over a period of 3 years plus, the new school was not built to cater for large housing developments and there will be problems arising from the increased numbers of pupils with a possible knock-on effect for siblings.
- There is a natural concern that the character and natural charm of the village will be irrevocably destroyed.

Raglan Community Council - objects to the application raising the following observations and areas of concern:

- Infrastructure of village will make it difficult to manage the size of the proposed development.
- Negative impact upon the sustainability of Raglan and wider community.
- Conflicts with points made in Wales Spatial Plan.
- It is not clear that consideration has been given to surface water management.
- Contrary to Policy S1 which seeks to focus housing on Main Towns not Rural Secondary Settlements.
- Proposal will conflict with TAN6.
- Proposal is contrary to Policies S1, S9, H3, LC1, LC5, DES1, MV1 EP5, E1, E3, S11, S13 and S16.
- Fails to give consideration to modes of travel other than private motor vehicles.
- Highway safety concerns with regard to the junction onto the A40 Trunk Road.
- Raglan will need a robust, adequate and efficient system to manage the increase in the drainage system.
- Would increase the pressure on the capacity of the existing road network.
- Must consider the provision of safe and easy access for all road users.
- Additional pressure of demands on medical care and medical practices.
- School would appear to be at capacity, consideration whether the size of the school will be sufficient.

MCC Highways - Have no objection subject to conditions, providing the following observations:

Pedestrian Accessibility

The site is located within reasonable walking distance, 800 metres, of local amenities, shops,

doctors, primary school etc. A footway is located on the northern side of Monmouth Road, albeit substandard in width.

Cycle Accessibility

The development proposes no specific provision or improvements to encourage or promote cycling.

Local Transport (Bus) Accessibility

Bus stops are located on Monmouth Road approximately 230 metres from the centre of the proposed development. Unfortunately, based on the proposals as submitted, the modal split for the proposed development is likely to include minimal, if any, bus use, because of the low frequency levels of buses. Services currently operate once every two hours for both the 60 and 83 bus routes.

Local Transport (Rail) Accessibility

The nearest rail station is located in Abergavenny, 14km away; therefore, rail travel is likely to be dependent on car travel, due to poor connecting bus provision.

Means of access

The development proposes a simple T junction with Monmouth Road as detailed on Drawing No. T17574/001 - Proposed Site Access Layout and the provision of an emergency access via Station Road.

The proposed junction with Monmouth Road is within the existing 30mph speed limit and visibility standards are in accordance with Manual for Streets.

The Council have actively promoted the provision of a secondary access off Station Road for the purpose of providing an emergency access only, direct access off Station Road has been discouraged by the highway authority due to existing physical and environmental constraints and that it already serves a number of significant attractors, namely Raglan Primary School, Puddle Ducks Nursery, Monmouthshire County Council depot, Raglan Golf course and local playing fields. The development will provide pedestrian access to Station Road by the introduction of internal footways and footpaths providing access for residents of the development and residents south and east of Monmouth Road to the school and other local amenities via the existing footpath from the school to Chepstow Road.

The development will provide access to the existing footway on the east side of Monmouth Road by way of new footway constructed along the western side of Monmouth Road providing uncontrolled crossing points to the north and south of the junction.

Traffic Distribution and assignment

Based on the distribution submitted, traffic on the High Street will increase by 15 and 17 vehicles in the AM and PM peaks respectively. Due to on street parking the High Street effectively operates in a one-way shuttle arrangement at certain points on this route.

This operation has not been modelled. However this is acceptable as the development flows are likely to be within daily variations in flow within the peak hour and there is no significant record of pedestrian and vehicular accidents at this location. A review of accident records highlights only three slight accidents on High Street since 1999.

The Technical Note identified that the right turn from Monmouth Road onto the A40 has a 42% increase in the AM peak (from 71 to 101 vehicles) and a 23% increase in the PM peak (from 69 to 85 vehicles). However, whilst the percentage increases are high, the total number of vehicles is relatively low. Should traffic to the west also reroute via the A40/Monmouth Road junction, then the percentage increase is likely to be even higher for this movement as existing left turning flows recorded in May 2018 are only 7 and 9 vehicles respectively. Based on the capacity analysis, there is sufficient capacity to cope with the additional traffic.

The junction falls under the remit and control of the Welsh Government (A40 is a trunk road) and they should be consulted.

Traffic Impact

The increase in traffic movements generated by the development, as well as the allocated allocation on Chepstow Road, has limited impact on the local highway network and the proposed means of access off Monmouth Road will operate efficiently with minimal queues in the future. No off site mitigation or improvements are required to the immediate local network to accommodate the development and the approved LDP allocation mitigation is required.

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 under section 38 Highways Act 1980 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 in accordance with the Council's Adopted Supplementary Planning Guidance "Monmouthshire Parking Standards".
- The internal estate roads should be designed and laid out to ensure for connectivity through the site to and from Monmouth Road and emergency connection with Station Road.
- 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 committed sums for the future maintenance of extraordinary materials if estate roads are to be offered for adoption.
- The Transport Assessment submitted in support of the application demonstrates that the traffic generated by the proposed development has a minimal impact on the local network and the highway authority would not object to the proposal on highway capacity and safety grounds. Unfortunately the proposed site is within an area that suffers with poor sustainable transport provision and it is recommended that should the planning authority be minded to approve the application then the highway authority would require the consideration and inclusion of the suggested conditions.
- The Highway Authority will also require the developer to enter into a legally binding agreement (S106 of the Town and County Planning Act) to make a financial contribution towards highway and transportation improvements
- To enter into a Section 278 Agreement, Highways Act 1980 for the proposed Monmouth Road junction, footways, street lighting, crossing provision, the widening and improvement of the existing footway on Monmouth Road, the provision of speed limit gateway and speed awareness measures. To provide a financial contribution to enable the extension of the existing footway on Station Road providing sustainable and accessible access to the recreational area / playing fields to the south east along Station Road.

MCC Planning Policy - Provided the following comments:

The Settlement of Raglan is identified in Strategic Policy S1 of the Local Development Plan (LDP) as a Rural Secondary Settlement.

The site is located outside the Raglan Development Boundary in an area considered as open countryside; therefore its development for a residential use would be contrary to Strategic Policy S1 of the LDP relating to the spatial distribution of new housing provision. The proposal is considered a departure from the adopted development plan and open countryside policies would subsequently apply.

With regard to the claimed need for the development, the shortfall in the Housing Land Supply (currently 3.9 years) is an issue that has been addressed in 2016, 2017 and 2018 LDP Annual Monitoring Report (AMR) which are available on the Council's website. The AMRs recommended an early review of the LDP as a result of the need to address the shortfall in the Housing Land Supply and facilitate the identification and allocation of additional housing land. They also suggest that the adoption of a pragmatic approach to the determination of residential development sites will assist in this context (as recognised in para 6.2 of TAN1). That is, where sites are a departure from the LDP but are otherwise acceptable in planning terms a recommendation for approval may be considered, however, the Welsh Government Cabinet Secretary made the decision on the 18th July 2018, to dis-apply paragraph 6.2 of TAN1, meaning that the requirement for Councils to give any housing land shortfall 'considerable weight' was removed. Nevertheless, the letter made it clear that it is for the decision-maker to decide how much weight, if any, to give its housing land supply shortfall. A report regarding Monmouthshire's approach to the housing land supply shortfall and unallocated sites was taken to Full Council on 20th September 2018. The decision was made that when considering planning applications for residential development on unallocated sites, the Council gives 'appropriate weight' to its lack of a five year housing land supply, insofar as those development proposals are otherwise acceptable in planning terms and that a number of 'ground rules' are met. The Council minutes outlining this approach will be made available on the following link. <https://democracy.monmouthshire.gov.uk/ieListDocuments.aspx?Id=143&Mid=2428&Ver=4> In respect of this approach, any application would need to meet the ground rules and be assessed against the policies set out below.

Policy S4 relates to Affordable Housing Provision, as the site is located outside the Raglan Development Boundary it is a departure from the LDP. The Affordable Housing Supplementary Planning Guidance was adopted in March 2016 and contains a specific section relating to departure applications in the open countryside (Section 4.4 E). This states that there is a requirement for 35% of the total number of dwellings on the site to be affordable. The proposal relates to approximately 111 dwellings, based on this figure the affordable housing requirement would therefore be 39 units. Given that one of the stated justifications for this departure application is the need to provide affordable housing then it is considered to be essential to be satisfied at this stage that the proposal is both deliverable and viable and can achieve an appropriate amount of affordable housing.

Policy LC1 relates specifically to new built development in the open countryside, the policy contains a presumption against new build development although it does identify a number of exceptional circumstances involving new built development that might be permitted (subject to policies S10, RE3, RE4, RE5, RE6, T2 and T3). None of these exceptional circumstances apply and as a consequence development in this location would be contrary to the policies contained in the Local Development Plan, most notably policies S1 and LC1.

Strategic Policy S13 relating to Landscape, Green Infrastructure and the Natural Environment is of importance. Policy LC5 relating to the protection and enhancement of landscape character must also be considered. Additionally Policy GI1 should be referred to in relation to Green Infrastructure, it is noted an assets and context plan, GI masterplan and opportunities and constraints plan has been submitted. Policy NE1 relating to Nature Conservation and Development must also be considered.

Policy CRF2 should be considered relating to outdoor recreation/public open space/allotment standards and provision. The policy requires outdoor playing space at a standard of 2.4 hectares per 1,000 population and 0.4 hectares of public open space per 1,000 population. The provision of a total area of 3.72 hectares of open space within the proposed scheme is welcomed, particularly given the location of the proposed development outside the Raglan development boundary adjacent sensitive uses including an existing Cemetery and school. Policy CRF2 also states proposals for sites exceeding 50 dwelling units should also make provision for allotments if required in accordance with the standards. It was agreed at the pre-application meeting that an alternative to allotments such as a community orchard or community growing may be more appropriate in this location given the layout of the proposed scheme. It is noted in response to these discussions a community orchard has been incorporated into the scheme, which is welcomed.

Strategic Policy S17 relating to Place Making and Design should also be considered along with Policy DES1 in relation to General Design. Criterion i) of DES1 requires a minimum net density of 30 dwellings per hectare in order to ensure the most efficient use of land. The site area excluding open space (3.72ha) is 3.99 hectares, giving a net density of approximately 28 dwellings per hectare. As the application relates to a site on the edge of Raglan, a Rural Secondary Settlement it may be considered that criterion i) is of relevance and a slight reduction in density could therefore be more appropriate, particularly due to the quantity of open space provided within the overall site area.

Policy EP1 relating to Amenity and Environmental Protection should also be considered.

Policy MV1 should be referred to with regard to access and car parking. Policy MV2 relating to highway considerations and sustainable transport access is also of relevance. Policy MV2 states that, where deemed necessary, financial contributions will be required towards improvements in transport infrastructure and services, in particular to support sustainable travel links / public transport, cycling and walking. This is a matter that will need to be considered in any planning obligation / heads of terms. Colleagues in the highways section will no doubt provide comment on this matter.

It is noted an Agricultural Land Survey has been submitted as per the request in the pre-application meeting.

MCC Environmental Health - Provided the following observations:

- Have considered the information available in relation to this application and in particular that provided in the Noise Assessment and Planning Statement.
- Having regarded to this information I would propose conditions be attached to any permission granted to agree a noise mitigation scheme and Construction Environmental Management Plan.

MCC Senior Housing Strategy & Policy Officer - Provided the following comments:

- Confirmed policy complaint percentage of affordable housing is 35%.
- Mix required (Number of units $111 \times 35\% = 39$)
2 person 1 bed flats - 12 units (3 x 4 walk up flats) - 4 will be OAP
4 person 2 bed houses - 16 units

5 person 3 bed houses - 6 units
6 person 4 bed houses - 1 units
3 person 2 bed bungalows - 4 units

MCC Green Infrastructure (GI) Team - Provided the following observations:

The proposal submitted and the LVIA, GI assets and opportunities plans represent a positive development to the integration of GI in this project. The GI team welcome the principals identified in PLAN 11: the GI Masterplan in contributing towards health and well-being, community access and enjoyment, biodiversity resilience, and landscape setting and quality of place. However we feel that the following issues that were raised at pre-app still haven't been fully addressed;

GI Opportunities

- An integrated SUDS scheme which seeks to capture surface water drainage throughout the development. A permanent pond should be incorporated within the SUDS basin linking to the swales to ensure it isn't just a dry basin.
- Management of the grassland sward for pollinators whilst maintaining circular routes and connections - this aspiration needs to be added to Plan 11: GI Masterplan Plan.
- The proposals do not include opportunities for development of key links between the site and to the PROW beyond sites to increase permeability of the proposal. This should include access to the public open space on the opposite side of the road.

Opportunity to address key issue of no walkway along Station Road between the school, nursery and playing fields. This is an issue that must be addressed either by providing a walkway within the site or by contribution to provide one on the opposite side of the road.

Opportunities that would serve both new and existing residents well is the improvement of the walkway along Monmouth Road and the formalisation of the desire line from the Golf Club House to Footpath 59 (identified by a broken black line) on land which it is understood might belong to the applicant. Improved access to Footpath 52 on the northern edge of the trunk road to Abergavenny would also be of benefit to new residents and the wider community.

- Proposals need to make it clear that all existing hedgerows, woodland and parkland character will be protected and reinforced as part of any new development and integrated into accessible green corridors (reflective of the character as historical deer park) incorporation of interpretation to reflect setting and character.
- Veteran trees need to be highlighted and protected and management for long term and interpretation provided relating to their significance as part of the historic parkland character that was once a deer park linked to the Castle.
- The open space area overlooked by development would benefit from some informal play equipment rather than being concentrated in an area which is not overlooked.
- Strengthening of the hedgerow boundaries to incorporate 5m buffer to address biodiversity and landscape impacts.
- All areas of strategic GI should be outside of private ownership and allow 4m maintenance strips.

Proposed S106/ Contributions

1. A combined off-site recreation and play contribution to be provided at the rate of £3,932 per dwelling to cover the cost of improvements to local community facilities, including:

- community hub facilities on the former primary school site;
- a safe pedestrian route from Station Road to the village community facilities via the former school site;
- the existing LEAP at Prince Charles Road;
- access to and support of a new play provision in the vicinity of the existing multi use games area.

2. Commuted sum to be agreed for the management of the open space and wild play area.

Detailed scaled drawings will be required to provide a specific sum, if these are available they should be made available, in the absence of these and for the benefit of the applicant a schedule of rates is attached.

Can confirm that we would discount Contribution 1 due to the increased on-site provision being offered. So you are aware the council's rates have increased since our original comments, although the figure quoted £3,932 was based upon holding our original 2017 figures as a discount but included the discounted play provision of £800.

Nevertheless we have looked at the proposal again and are prepared to half the adult recreation contribution from £3,132 to £1556. Together with the discounted £800 for off-site play this would come to a total of £2,356 per dwelling for the sum of £261,516, to cover the cost of improvements to local community facilities (detailed above).

MCC Biodiversity - Following receipt of further information received from Tyler Grange yesterday (10/10/2018) and this morning (11/10/2018), there are still ecological issues which have not been addressed satisfactorily.

We will not object to the scheme subject to the receipt of a revised plan/documents addressing the following issues:

- Deliverability of the 5m buffer native thorny species planting along retained hedgerows, which is required as part of the mitigation strategy for dormice, but is also important for protecting the commuting routes for bats (the importance of which we are unable to quantify). I requested that a plan showing the 5m buffer be provided, which is included in Appendix 4 of the comments provided, there are two issues demonstrated by this plan:

- a) The buffer is taken from the midline of the hedge, where it should extend from the edge of the habitat; and

- b) It clearly shows that it is not achievable to plant a 5m buffer and at the same time deliver the other GI aspirations for the site, this is a particular issue along the NE boundary where the existing public right of way needs to be maintained.

- The distribution of "rough tussocky grassland" as shown on the "Impacts and Proposed Site Value to Dormouse/Great Crested Newt" plans in Appendices 2 and 3 of the comments, and included in the revised mitigation strategies for both species. We consider this to be inappropriate in relation to both the residential areas and amenity use of the site. We would suggest that this plan is replaced with the illustrative masterplan which is less prescriptive in the distribution of grassland, and will therefore allow for negotiation over management at reserved matters.

- The size of the site in the mitigation strategies issued June 2018 is 7.7 ha (which is what I have calculated using mapping tools), but in the revised strategy is 8.5 ha - can this be explained?

- The following are also issues which either have not been satisfactorily addressed, or have been made apparent by the additional information received, but can be controlled with conditions:

- Probable loss of a tree with high potential to support roosting bats (dead ash tree T01 drawing ref. 11094/P03), which will require further surveys if it is to be lost; and

- Potential for breeding owls in two retained trees, one of which had evidence of recent use by little owl, nonetheless other bird species including Schedule 1 protected barn owl may use these features for breeding.

With regard to re-consulting NRW on the revised mitigation strategies received today; NRW have agreed to the strategies originally submitted and advised that the scheme should only be granted subject to a planning condition securing the methods therein. I understand that Tyler Grange have discussed the changes (in relation to the area of hedgerow to be lost/moved) with NRW and the principle has been agreed. It would be good practice to re-consult NRW to ensure that they are conversant with the documents that are to be approved, however, if there is not time to wait for their response (particularly as we are requesting changes to the plans in the mitigation strategies), I believe it would be acceptable to amend the wording of the condition provided by NRW to refer to the most recent strategies.

MCC Heritage - This site borders the Raglan Conservation Area to the area to the south of the castle. The Conservation Area has two main parts, the town and the castle, the setting of the latter is of relevance to this application, referred to Character Area 2 in the Raglan Conservation Area Appraisal 2016. This part of the Conservation Area has key views towards the castle mainly along the Monmouth Road looking north; these views will not be affected by the development. Views from the castle looking south will still be maintained and the GI landscape plan shows key areas of landscaping to soften these edges of the site helping it be integrated to the wider landscape. In addition there is also planting within the site again mitigating the effects. The retention of the two key trees in the site is also welcomed.

There are few traditional buildings in this character area and so it is the landscaping identified above which is an important characteristic of this area, however this is the main access into the Conservation Area and so should be carefully considered. The existing hedgerow should be maintained along this road. The active frontage facing towards Monmouth Road is welcomed as this helps to create an interesting approach into the historic core of the town and is set back from the road side in a similar manner to the northern properties along this road. Building heights should be kept to two storeys, especially along this main road. Additionally planting and the community orchard to the eastern corner of the site are also helpful as they again help deal with the transition of rural to residential.

There is a mix of building types and materials in the adjacent properties, however a palate of

materials is clearer in the core of the town, the buildings should take this into account and use designs and house types that follow the architectural styles of the town. Buildings should be varied (mix of types) and mix of positions to help create space between the buildings and emphasise the linkages to the wider landscape.

Natural Resources Wales (NRW) - Provided the following observations:

- We recommend that you should only grant planning permission if you attach the following conditions. These conditions would address significant concerns that we have identified and we would not object provided you attach them to the planning permission.
- We note from the ecological assessment report, that dormouse survey work is currently ongoing. However, due to the existence of a dormouse record circa 350m from the site, and the presence of suitable habitat onsite, the application assumes those dormice are present on site.
- The ecological report states that great crested newt (GCN) was recorded at a pond circa 50 metres to the south of the site boundary. No ponds or other permanently wet habitat exists on site; however, hedgerows, grassland margins, deadwood piles at the eastern corner of the site, and seasonally wet ditches have been assessed as having high terrestrial habitat value for GCN. We are therefore satisfied that the dormouse and GCN mitigation strategy documents submitted sufficiently address our detailed requirements.
- We therefore do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range, provided the land is secured and the suggested conditions are included on any permission your authority is minded to grant.
- We advise that the applicant seeks a European Protected Species licence from Natural Resources Wales under Regulation 55 of The Conservation of Habitats and Species Regulations 2017 before any works on site commence that may impact upon dormice. Please note that the granting of planning permission does not negate the need to obtain a licence.

Glamorgan Gwent Archaeological Trust (GGAT) - Provided the following observations:

- The proposal has an archaeological restraint.
- The supporting information for this application includes a Heritage Statement prepared by Pegasus Planning Group (Report Ref: P17-1744, dated June 2018). The report details the geophysical survey that was undertaken across the application area, which was comprised of a gradiometer (magnetometry) survey, followed by a targeted resistivity survey, in order to identify any potential buried archaeological remains.
- The results of the survey identified a number of intermittent linear and discrete anomalies within the north-eastern area of the proposed development, which were later interpreted as possible palaeochannels. The Heritage Statement concludes that neither the desk-based assessment nor the geophysical survey suggest that significant archaeological remains are present (Section 8.4).
- However, the geophysical survey report noted that alluvium is present within the south western area of the site; consequently, there is a possibility that any potential archaeological remains would not have been detected beyond the instruments effective range of 1m to 2m depth (Appendix 5, section 5.1).
- Furthermore, there is a potential for the survival of organic remains within the possible identified palaeochannels features, which can consequently inform upon the palaeoenvironment of the area. Therefore, it is considered that in order to prevent the potential loss of information of the archaeological resource that mitigation is required.
- As a result, 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 should be attached to any consent granted by your Members.
- We envisage that this programme of work would take the form of archaeological trial trenching and environmental sampling within the area of the possible identified palaeochannels and an archaeological watching brief during all associated groundworks required for the development, with detailed contingency arrangements, including the provision of sufficient time and resources to ensure that any archaeological features or finds that are located are properly investigated and recorded; it should include provision for any sampling that may prove necessary, post-excavation recording and assessment and reporting and possible publication of the results. To ensure adherence to the recommendations we recommend that the condition should be worded in a manner similar to model condition 24 given in Welsh Government Circular 016/2014

Welsh Government Network Management Division - Provided the following observations:

- The Welsh Government (Transport) has had the associated traffic generation reviewed in terms of potential impacts to the A40 and its junctions. The conclusion is that there are no adverse safety or performance impacts arising from this proposal.
- As highway authority for the A40 trunk road, the

Welsh Government does not therefore raise an objection.

Cadw - Provided the following observations:

- Due to intervening topography and buildings only scheduled monument Raglan Castle (MMOO5) and registered historic park and garden Gt 42 Raglan Castle are inter-visible.
- The Heritage Impact Assessment (HIA) has been produced in accordance with the methodology outlined in Welsh Government's best practice guidance.
- The eastern area of the application site extends into the lower deer park associated with Raglan Castle, the HIA states that the former extent of the deer park was fossilized in the southern site boundary and within a curvilinear boundary which ran across its eastern extent and that two trees survive on the line of the latter where LIDAR data indicates a very low earth bank is extant.
- Damage to these aspects of the setting of the scheduled monument and historic park and garden will be mitigated by retaining the trees along the former park boundary, by locating built form to the west of the area with land to the east retained as public open space.
- The conclusion is the site will result in a small increase in the extent of built form visible in non-key views looking south from castle towers.
- This reduction of views to the castle/alteration of views south from the castle will result in a very small level of harm to the significance of the Grade I Listed Building and Grade I Registered Park.
- The conclusions of the HIA are accepted with mitigation as suggested and if implemented the proposal will result in a slight though not significant effect upon the setting of the scheduled monument.

Dwr Cymru Welsh Water - Provided the following observations:

- We previously commented on the development site under our non-formal pre planning advice application as well as under Schedule 1C-Article 2D notice, from reviewing the development proposal we confirmed we could accept foul water only flows from the development site.
- We note that the applicant has proposed alternative connection points to those previously suggested.
- We note the applicant is proposing to discharge surface water to sustainable drainage systems as well as to the public sewerage system, the drainage strategy outlines a number of surface water removal solutions which are subject to further on site investigations.
- The public sewerage systems surrounding the vicinity of the site is for foul water only, we would not accept any surface water flows into a foul water only sewer system.
- If sustainable drainage systems have been identified as a feasible solution for disposal of surface water then all of the proposed surface water should be managed through this means.
- We advise the applicant exhaust the surface water removal hierarchy as set out in statutory guidance.
- Notwithstanding this, we would request that if you are minded to grant planning consent to the development that the suggested conditions and advisory notes are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Woodland Trust - Have lodged a holding objection to the application on the grounds of potential impact to several veteran trees on site:

- The proposed path network will be routed through the root protection areas of T3, T4, T5 and T6 which could result in a slow deterioration of the trees through root compaction and damage. The Trust asks that the path network is re-configured outside of the RPA's of all veteran trees on site, and in addition the RPA of T3 is similarly un-encroached by any residential infrastructure.
- Planning Policy Wales, Paragraph 5.2.9 states: "Trees, woodlands and hedgerows are of great importance, both as wildlife habitats and in terms of their contribution to landscape character and beauty. They also play a role in tackling climate change by trapping carbon and can provide a sustainable energy source.
- Local planning authorities should seek to protect trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality. Ancient and semi-natural woodlands are irreplaceable habitats of high biodiversity value which should be protected from development that would result in significant damage."

Aneurin Bevan Health Board - Castle Gate GP practice have discussed the proposed development in Raglan at their practice meeting and they have no objection to the proposal. We are investigating whether the Community Infrastructure levy may be applied in this case to enable some alterations within the practice, and will confirm at a later date if we believe it to be applicable.

Raglan Village Action Group - Objects raising the following areas of concern:

- The adopted LDP provides a very clear spatial strategy for the delivery of the residential dwellings required to be delivered through the plan period. Policy H1 notes that residential development in main towns, Severnside settlements and rural secondary settlements all have development boundaries within which new residential development will be permitted subject to criteria.
- This policy position is further reinforced by LC1 which expresses a presumption against new built development in the open countryside, unless justified under national planning policy and or LDP policies.
- Planning Policy Wales (PPW) likewise reinforces the message that rural housing should be planned and accommodated within settlements.
- The application site is located, in its entirety, outside of the development boundary for Raglan.
- The dis-application of paragraph 6.2 of TAN1 fatally undermines the applicant's case for approval and hands power back to Monmouthshire County Council to operate a plan-led system.
- Given the prima facie conflict between Monmouthshire's Development Plan seeking to limit growth in Raglan to a sustainable level and the application site's position outside of the development boundary this conflict alone is clearly enough to refuse the planning application.
- The positive steps MCC are already taking mean that there is no pressure for them to do anything other than proceed along the current path of a full-scale review of the LDP with speculative applications which are of course premature in terms of the review process being resisted.
- Household projections have dropped dramatically over the last 10 years. It is now estimated that there will be a 3.5% increase in households (based on 2014 figures) compared to a 10.1% increase in the 2008 based projections.
- Given the inability to deliver and maintain a 5 year housing land supply coupled with the significant reductions in household projections it is highly probable that whilst the overall housing target for MCC may increase, reflecting the elongation of the plan period to 2033, the annual requirement for housing delivery will reduce significantly reflecting the lower requirement for housing in the area.
- It is entirely appropriate to first review and calculate the housing need for the revised LDP over the elongated period and also to then review the housing land supply prior to making any decisions about requiring further currently un-identified sites.
- Where the shortfall is only in the order of 1 year as in the case of MCC a reduced level of weight should be attached to this than when looking at an administrative area where a shortfall of multiple years is identified.
- The rural secondary settlements, including Raglan, are identified to deliver 'a small amount of new housing development'.
- The scale of development being proposed at land off Monmouth Road is vastly in excess of the anticipated level of development in Raglan. It would represent an overprovision of housing of 148%.
- Raglan village has around 520 households. The addition of 186 dwellings to this figure would result in a 36% rise in the number of households in the village.
- Proposal is contrary to LDP Policy S2.
- The application as presented fails to adequately assess the impact it will have upon the landscape setting of Raglan.
- The LVIA gives no indication of what impact the development will have contrary to best practice.
- The LVIA underplays the sensitivity of the location.
- The LVIA underplays the visibility of the site.
- The proposed development is contrary to LDP Policies S13, S17, LC5, DES1.
- The depth and breadth of the development would completely denigrate the current rural setting of the historic park undermining this key view and with it part of the significance of the heritage asset.
- The introduction of a modern housing estate of 111 houses of virtual 3 storeys in height expanding the settlement of Raglan to the east impacting on key views would be seriously detrimental to the heritage asset and clearly contravenes the presumption in favour of preserving the setting of the castle as a nationally significant heritage asset.
- The views towards the church from the east can be considered to be key views and the proposed development will remove these key views towards the church which detracts from the setting of the church harming its significance.
- The puncturing of a hole in the hedgerow of 135m in length (when taking into account visibility splays) will doubtless have an urbanising and harmful impact on the conservation area failing to preserve or enhance its character or appearance.
- Increased use of the unsafe A40 crossing junction.

- Failure to consider the impact of the proposal on the High Street.
- Pedestrian accessibility into Raglan.
- The application submission clearly discriminates and fails to promote equality of opportunity for those with disabilities and in its current form must be resisted on this basis having regard to the Public Sector Equality Duty (PSED).
- Limited public transport connectivity.
- The timing of the bat survey is of significant concern.
- The submitted Dormouse assessment is not only incomplete at this stage it is also flawed in its understanding of the level of hedgerow removal required to facilitate the proposed access arrangement.
- It is not acceptable to proceed without understanding the impact upon the dormice population of the area.
- Lack of information in respect of great crested newts.
- Loss of best and most versatile agricultural land.
- Inadequate school places.
- The doctor's surgery in the village is also understood to be operating at capacity and these factors point to the village's infrastructure being unable to cope with such a large uplift in housing.

Raglan Conservation Group - Objects raising the following areas of concern:

- Site lies outside of the development boundary and would set dangerous precedent.
- Totally disproportionate to the size of the existing village.
- The A40 junction is well documented as being unsafe.
- It has recently been announced that TAN1 has been revised.

4.2 Neighbour Notification

Letters of objection have been received raising the following areas of concern:

- In conjunction with the 45 dwellings already given outline planning permission, this would see a growth of 27%.
- Welsh Government has given MCC the tools to refuse such speculative applications but it looks as though this is being ignored.
- The most democratic thing would be to refuse the application and through LDP review see what other more suitable sites are brought forward.
- If passed would make mockery of whole LDP system.
- Raglan would be changed forever and the precedent set for developing the fields surrounding the site.
- Raglan should not be the scapegoat to reach MCC housing targets.
- Contravenes housing policies S1,S13,S16, LC1,LC5 but claims exemption as the MLDP does not meet revised housing targets.
- Richborough claim site categorisation 2 under TAN1 i.e. completion within 5 years but since there is a restrictive covenant prohibiting residential development and a current legal injunction this assertion is totally without foundation.
- If this setting is harmed then it calls into question the whole point of the Raglan eastern conservation area and all the planning decisions made within it.
- There are better development sites in Raglan village.
- There is a question why the planners have given so much assistance to Richborough and not the owners of the next most favoured development site and this is linked with ex-chairman of MDC Andrew Crump the owner of the Richborough site.
- In Richborough's original village presentation there was mention of a substantial section 106 contribution to the village hall. There is no mention of an amount in the planning application.
- Any plans to bus local pupils to other schools in the area will prove a major disruptor of village society and destroy the village cohesion that attracts people in the first place.
- The village infrastructure is not prepared to take on an extra 111 households.
- The proposed development would crowd the small graveyard opposite the Monmouth Road.
- The local school is at capacity.
- The view from the listed castle would be ruined.
- No mention of community benefits or S106 contributions.
- Specialist information and reports submitted are biased in favour of the developer.
- Approval would constitute a serious breach of the public's trust.
- The land in question is good agricultural land in open countryside.
- Will harm local business by deterring visitors to the village.
- Level of CO₂ will increase along with the disruption and dust from building works.
- Site provides a great environment to walk, explore nature, observe wildlife and chat to friends.
- Lack of public transport.

- Pedestrian safety on Monmouth Road.
- Pressure on restricted vehicular parking.
- There is little employment in the village.
- Will result in significant light pollution.
- Information within the application is misleading.
- Increase in the village numbers would likely require a policing presence, not currently available.
- Development nearer the Severn Bridge would make more environmental sense.
- Loss of trees will have adverse impact on wildlife.
- The housing density is far too high.
- The proposed proportions of housing types cannot possibly provide affordable housing aspired to nationally and locally.
- There are a further 2 fields there which would then go for house so realistically we could be looking at 300+ new houses not just the 111.
- Would destroy the Raglan Healthy Footsteps Walk.
- Question whether developer profits are more important than our villages.
- Bottom of the field floods.
- Brownfield sites need to be considered first.
- Create pollution with the extra rubbish, fumes and waste of 111 houses.
- While the need for affordable housing for future generations in the village is understood, the truth is these will likely be expensive houses out of the reach of those in need.
- There is a covenant on the land preventing building which villagers believed protected the attraction of living in this rural village.
- Affordable housing could be supplied in other ways.
- Several proposals in the area have been refused or altered due to the development being visible from the conservation area.
- Further archaeological work required.
- The land forms a green approach to the gateway of the village which defines its character.
- S106 contributions required are derisory.

Letters of support have been received making the following observations:

- The geographic location of Raglan is superb.
- Offers affordable housing for future generations.
- Good for commuting and business in general.
- Would allow young people to move back to the village.
- Raglan needs new housing to bring in young families to the village and rebalance the age distribution of its population.
- It is unreal to expect the village not to change.
- Need housing to support demand.
- Believe the village can sustain the volume increase.
- Consideration should also be given to the age demographic in the village which is undoubtedly growing older.
- There is such a poor choice of housing in Raglan and the surrounding area.
- The council must ensure that the 35% affordable housing is delivered.

5.0 EVALUATION

5.1 Principle of the proposed development

5.1.1 The site is located outside the Raglan Development Boundary in an area considered as open countryside. As such, its development for housing is a departure from the adopted development plan and open countryside policies apply. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that all planning applications shall be determined in accordance with the adopted LDP unless material planning considerations indicate otherwise. One of those material considerations is the Council's housing land supply. There is a shortfall in the five year land supply in Monmouthshire with the land supply currently at 3.9 years. Until July 2018, paragraph 6.2 of TAN1 required that, when considering planning applications for housing development on land not allocated in an adopted LDP, 'considerable weight' must be given to the lack of a five year housing land supply. This meant that otherwise acceptable housing development would be approved even if it were not allocated for development in the LDP. Appeal decisions in this regard were consistent and clear. In July 2018, the Cabinet Secretary with responsibility for planning issued a consultation on a proposal to 'suspend' paragraph 6.2 of TAN1 for an undetermined time period, while a review of housing supply is undertaken. The Cabinet Secretary has since issued her decision, which is to dis-apply paragraph 6.2. The duration of this decision is unspecified. Her letter, however, goes on to state that it is now for the decision-maker

(i.e. Monmouthshire County Council as Local Planning Authority) to decide the weight to give its housing land supply shortfall.

5.1.2 On 20th September 2018, Council considered a report entitled "Addressing our lack of 5 year land supply: Monmouthshire's Approach to Unallocated Sites". This report set out the challenges and opportunities facing the County and our communities, including significant affordable housing need, the highest average house prices in Wales, our increasingly imbalanced demography and the resultant weak economic base, and the opportunities arising from Cardiff Capital Region City Deal and the economic growth in the Bristol area. Our housing land supply stands at 3.9 years, and our development trajectories show that by the end of the current LDP's plan period in December 2021, we'll have a shortfall of 961 homes (of which 337 are affordable homes) against the LDP housing targets.

Council resolved that our housing land supply shortfall will be given 'appropriate weight' when considering planning applications for residential development on sites outside of the adopted LDP. Consideration would follow a hybrid spatial model based on a balance between evidence of delayed site delivery, which shows the greatest shortfall is within the Southern local housing market area which includes Chepstow and Severnside; and the LDP settlement hierarchy which seeks to focus growth on the three main towns of Abergavenny, Chepstow and Monmouth, then Severnside, then the rural secondary settlements of Llanfoist, Penperlleni, Raglan and Usk. The Council resolved that consideration of unallocated sites would be subject to the following ground rules:

1. Residential development is unacceptable in principle within undefended flood plain (zone C2) or on greenfield sites within defended flood plain (zone C1), as per national planning policy and TAN15;
2. Residential development is unacceptable in principle within allocated Green Wedges: the appropriate time to review Green Wedge designations is via the new LDP;
3. Residential development is unacceptable in principle on allocated employment sites. Such sites will not be released for housing development unless full compliance with LDP Policy E1 can be demonstrated and there is no realistically likely future demand for the site for employment purposes;
4. Unallocated sites are required to deliver 35% affordable housing and no negotiation will be entertained (60% where the development relates to a Main Village);
5. The development must be acceptable in other planning terms. If infrastructure is inadequate to support new development, and it cannot be satisfactorily improved via a S106 planning agreement, permission would normally be refused. This includes matters such as highway capacity, school capacity, primary health care and air quality;
6. The scale of additional residential development will be considered in the context of the LDP spatial strategy, both in its own right and cumulatively with other approved residential development.
7. Development should be restricted to the Main Towns, Severnside, and Rural Secondary Settlements (with the exception of Llanfoist where there shall be no additional development on unallocated sites outside of the new LDP); and small 60% affordable housing sites in those Main Villages without an allocated site (namely St Arvans and Llandogo).
8. The size and mix of the proposed dwellings is both suitable for the location and seeks to address our demographic challenges;
9. Any planning permissions will have a reduced lifespan: full planning permissions shall be commenced within 2 years, and outline planning permissions shall be followed by reserved matters within 1 year, with commencement within 1 year of approval of the reserved matters;
10. Applications recommended for approval shall be accompanied by a Unilateral Undertaking by the time they are presented to Planning Committee;
11. This decision ceases to have effect should we regain a five year land supply and/or meet the LDP housing shortfall identified in this report.

5.1.3 The Report agreed by Council in September of this year concluded that taking this approach would give the best chance of tackling the housing shortfall. It would mean that some areas that have effectively delivered on their LDP housing allocations potentially have some more development to help support the County as a whole. It is considered appropriate therefore to consider how the development proposal would meet the ground rules set out above.

1. The southern extent of the site is located within Flood Zone B, as shown on the Welsh Government Development Advice Map. The remainder of the site is located within Flood Zone A, which is considered to be at little or no risk of fluvial flooding. This ground rule is complied with;
2. The site is not designated as a Green Wedge in the adopted LDP;
3. The site is not allocated as an Employment Site in the adopted LDP;
4. The development would provide 35% affordable housing which is policy compliant and not subject to viability testing. This would see the site provide 39 affordable units which is a significant and welcome addition to Raglan and the Central Local Housing Market Area;
5. The site is acceptable in planning terms for new housing development and is in a sustainable location adjoining the edge of the village and is within short walking distance of the village's shops, medical facility, school, amenity sites and community facilities. The site also has good access to the local bus service. It is noted that the some of this infrastructure is to be satisfactorily improved by way of legal agreement. These matters are to be discussed individually in the ensuing sections of this report;
6. The scale of the proposed development, of up to 111 dwellings, in the context of the Rural Secondary Settlement of Raglan (approximately 520 homes) is considered on balance to be of an acceptable scale of additional residential development in the context of the LDP spatial strategy, both in its own right and cumulatively with other approved residential development. Planning Committee has resolved to approve the allocated site in Raglan for 45 dwellings (35%) subject to the signing of a legal agreement securing necessary infrastructure. However, should Planning Committee resolve to approve this application, it is recommended that no further unallocated sites be approved in Raglan outside of the next LDP (similar to the approach taken in Llanfoist);
7. Raglan is a rural secondary settlement as set out in the adopted LDP and as such meets this ground rule. Although the housing shortfall and demand is primarily in the Southern Local Housing Market Area, there are insufficient known options to meet the identified housing shortfall. It is acknowledged that Raglan is not a main town and so is lower in the settlement hierarchy, however its relative proximity and accessibility to the south of the county together with its amenities mean developed of the scale proposed is considered to be acceptable;
8. The size and mix of the proposed dwellings, and their effect on tackling our demographic challenges and their suitability for the location will be considered at the Reserved Matters stage, should this application be approved.
9. Should Planning Committee be minded to grant planning permission, a condition would be imposed to require submission of reserved matters within 1 year, with commencement within 1 year of approval of the Reserved Matters. The reason is to ensure prompt delivery to meet the housing shortfall which is the justification for departing from the adopted LDP.
10. This application is accompanied by a Unilateral Undertaking. The applicant has agreed the Heads of Terms as set out later in this report;
11. Neither the identified housing delivery shortfall of 961 dwellings by the end of the LDP plan period, nor the housing land supply shortfall, have been addressed to date, and so the Council's decision of 20th September 2018 remains in place.

5.2 Loss of Agricultural Land

5.2.1 Section 4.10 of PPW gives weight to the protection of land in agricultural grades 1, 2 and 3a, which is known as the best and most versatile (BMV) agricultural land. Paragraph 4.10.1 states that such land should only be developed on *"if there is an overriding need for development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations."*

The applicant has submitted a Predicted Agricultural Land Quality Survey (March 2018) which concludes that there are two soil types mapped at the site. Consideration of the available data, including mapping of topography and soils, land use and flood risk, indicates that most of the site is likely to be of Subgrade 3a, with around one third in Subgrade 3b and Grade 4.

5.2.2 Therefore whilst the site may include land of Subgrade 3a quality, the Predictive ALC (Agricultural Land Classification) Map shows the site to be amongst some of the lower quality land in the surrounds of Raglan. Subgrade 3a is the lowest of the BMV grades, with Grades 1 and 2 representing excellent and very good quality agricultural land respectively. The Predictive ALC Map shows a swathe of Grade 2 to the north-west and south-west of Raglan, and a substantial area of Grade 1 to the west. As a result the survey concludes that in the local context, any development of agricultural land around Raglan is likely to involve BMV land, given that the poorest quality land is within the floodplain and so is not available for development. The loss of 5.8ha of Subgrade 3a, which is the lowest category of BMV is not significant within this context.

5.2.3 As such officers consider that the overriding need for housing development in the area overcomes the need to protect agricultural land which is in part grade 3a and that the proposal is in accordance with the objectives of paragraph 4.10.1 of PPW.

5.3 Affordable Housing

5.3.1 Policy S4 of the LDP relates to Affordable Housing Provision. The Affordable Housing Supplementary Planning Guidance was adopted in March 2016 and contains a specific section relating to departure applications in the open countryside (Section 4.4 E). This states that there is a requirement for 35% of the total number of dwellings on the site to be affordable. The proposal relates to up to 111 dwellings, the affordable housing requirement would therefore be 39 units if the full 111 dwellings are included at the detailed planning stage. The developers have agreed that 35% will be provided and that this will not be subject to a viability assessment. This will be clearly stated in the Unilateral Undertaking between the Council and the landowner. This is in accordance with the 'ground rules' agreed by Council on 20th September 2018 which seeks full compliance with a 35% provision without negotiation.

5.4 Education Provision

5.4.1 MCC Directorate for Children and Young People has considered all major new housing developments in the locality. It is forecast that 111 dwellings would generate 24 primary pupil places. Raglan VC Primary School has very limited capacity, with 204 children on roll and a capacity for 210. The Chepstow Road development (DM/2018/00769) was predicted to generate 10 primary aged pupils which will be able to be accommodated in Raglan Primary School. Draft Policy Guidance: Approach to Planning Obligations - Residential Development (January 2018) sets out a formula based approach to financial contributions. The cost multipliers for an individual primary school place are calculated using Welsh Government data for total funding for Band B for the primary programme (2016 – 2019). The formula considers the actual number of dwellings proposed at the detailed planning stage as well as the mix of 2, 3 or 4 bed homes. As such as Raglan is a 210 (single form entry) school a contribution of £17,257.00 per pupil is to be secured through a Unilateral Undertaking. This takes into account the open market housing and does not include the affordable housing units, which do not pay a contribution.

5.4.2 Currently there is sufficient capacity in the County's secondary schools and the Welsh Medium Primary School. No contributions are required, therefore, towards secondary education, although this will be monitored as future development proceeds.

5.5 Health Provision

5.5.1 As agreed with Members in 2017, the Aneurin Bevan Health Board (ABHB) is consulted on all major residential planning applications. The number of GPs in an area is based on population numbers. ABHB have therefore been consulted regarding the capacity of the local GP surgery to be able to absorb the additional people generated by the proposed development. ABHB have confirmed that they have no objection to the proposal. The Castle Gate GP practice have met to consider the impact on capacity and as stated in this particular case the surgery can absorb the additional residents without needing to physically extend the surgery building or its car park. ABHB have noted that if applicable Community Infrastructure Levy (CIL) may be applied in this case to enable some alterations within the practice. However, CIL is not adopted by Monmouthshire County Council. Therefore as there is no requirement to increase the size of the practice or parking facilities as previously stated, there are no grounds to request any financial contribution towards the surgery by way of the Unilateral Undertaking.

5.6 Green Infrastructure and Sustainable Drainage

5.6.1 Policy GI1 of the LDP states that development proposals will be expected to maintain, protect and enhance Monmouthshire's diverse green infrastructure network by ensuring that individual green assets are retained where possible and integrated into the new development. Developments should incorporate new and/or enhance green infrastructure of an appropriate type, standard and size.

5.6.2 The proposal includes the submission of a Landscape and Visual Impact Assessment (LVIA), GI Assets and Opportunities plans that are considered to represent a positive development to the integration of GI in this project. The Council's GI team welcome the principles

identified in the GI Masterplan in contributing towards health and well-being, community access and enjoyment, biodiversity resilience, and landscape setting and quality of place.

The site would be bounded by GI corridors that would preserve and enhance existing planting, the only exception to this being the formation of the main vehicular access onto Monmouth Road and the emergency access to Station Road. The Masterplan also makes provision for considerable public open space, which is appropriate given the edge of settlement context, that would see a new community orchard, wildflower (and grassland) meadows as well as wild play area within the southern corridor opposite Raglan Primary School.

5.6.3 In terms of connectivity it is paramount that the site is not inward looking and communicates with its surroundings. The Masterplan makes provision for two points of connection with the existing Public Right of Way that adjoins the eastern boundary of the site. A financial contribution (£60k) towards pedestrian improvements along Station Road would provide much needed connectivity to several important destinations including the village school, private nursery and playing fields.

Other beneficiaries of the planning contributions would include the community hub (Raglan Village Hall) facilities on the former primary school site as well as enhancement of the existing LEAP at Prince Charles Road.

5.6.4 In respect of drainage, a Drainage Strategy has been submitted in which all methods of surface water discharge have been assessed. Where soakaways are not possible, discharge of surface water to the unnamed watercourse at the southern boundary of the site at a rate of 25 l/s is concluded as the most practical option. Attenuation storage will be required on site in order to restrict surface water discharge to 25 l/s. Attenuation can be provided within the sub-grade of permeable paving or in the form of a pond, detention basin, swale or tank located in the lower southern extent of the site. Welsh Water (DCWW) has considered the submitted strategy and acknowledges the intent to employ sustainable drainage systems and that management of surface water should be through this means. They have also confirmed that no surface water would be accepted into the foul only sewer system. Subject to a condition requiring a detailed drainage scheme no objection has been offered by DCWW.

5.7 Heritage Impact

5.7.1 As detailed previously within this report, Monmouth Road to the north of the site forms the boundary to the Raglan Conservation Area, whilst within 3km of the application site there are seven Scheduled Ancient Monuments (including Raglan Castle) as well as the Raglan Castle Registered Historic Park and Garden.

5.7.2 Thus, the heritage value of the site is duly noted and consideration given to Planning Policy Wales (PPW) 2016 and in particular Chapter 6 - The Historic Environment. Section 6.1.3 of this document highlights the importance of the historic environment as part of the culture and economy of Wales, stating that *to enable the historic environment to deliver rich benefits to the people of Wales, what is of significance needs to be identified and change that has an impact on historic assets must be managed in a sensitive and sustainable way*. Consideration has also been given to the statutory duties in relation to the setting of ancient monuments, the architectural or historic importance of Listed Buildings and their setting, and the preservation or enhancement of the character or appearance of the Conservation Area.

5.7.3 Accordingly a Heritage Impact Assessment (HIA) has been submitted in support of the application that has been confirmed by Cadw as having been produced in line with best practice guidelines. The HIA highlights the need for mitigation which includes retaining the trees along the former park boundary, locating the built form to the west of the former area of park and the line of the former park and the line of the former park boundary together with land to the east being retained as public open space. Therefore Cadw have confirmed that in conclusion with the mitigation suggested it would result in a slight though not significant effect upon the scheduled monument.

5.7.4 With regard to the more localised impact on the Raglan Conservation Area, Policy HE1 of the LDP asserts that all development should preserve or enhance the character or appearance of the area and its landscape setting. The Raglan CA has two main parts, the town and the castle. The setting of the latter is of reference to this application, referred to as Character Area 2 in the Raglan Conservation Area Appraisal (2016). Within this area there are key views towards the castle mainly along the Monmouth Road looking north, and these views will not be unacceptably affected by the development. Views from the castle looking south will still be maintained and the

introduction of key areas of landscaping to soften these edges of the site will assist its integration into the wider landscape.

5.7.5 There are few traditional buildings in this character area of the CA and so it is the landscaping identified above which provides an important characteristic of this area. This is, however, the main access into the CA. The active frontage that is proposed facing towards Monmouth Road is welcomed by the Council's Heritage Team as this would help to create an interesting approach into the historic core of the town and is set back from the roadside in a similar manner to the northern properties along this road. Whilst details matters such as layout and the appearance of the dwellings (including materials) are reserved, for the reasons detailed above it is considered that the provision of a site of up to 111 dwellings would preserve or enhance the Raglan CA and would meet the statutory duties associated with the surrounding Listed Buildings, registered parkland and Scheduled Monuments. Cadw offers no objections.

5.8 Visual / Landscape Impact

5.8.1 As detailed in the preceding sections of this report, the site is sensitively located owing to its historic context and also for the purposes of the LDP because of its siting within open countryside.

The LVIA concludes that in terms of landscape character, the site itself is generally representative of the main Aspect Areas (Visual and Sensory, Cultural and Historical) identified within the LANDMAP character assessments despite these relating to wider character areas. The development would allow for the retention of a large amount of the existing landscape features on site including veteran trees. The most significant losses would be the section of hedgerow to facilitate both the emergency access off Station Road and the main vehicular access off Monmouth Road; and, the loss of semi-improved grassland within the site itself as would be inevitable for any greenfield development. However, compensation and mitigation for the loss of these features can be secured for the proposed development as shown on the GI Masterplan. Whilst the site is within the open countryside, it is considered to relate well to the existing settlement of Raglan by virtue of its location at the existing south-eastern edge of the village, immediately adjacent to Station Road and Monmouth Road. The strong green corridors that would be retained/enhanced along the site boundaries would assist the transition from countryside to the built form of the village.

5.8.2 Criterion i) of LDP Policy DES1 requires a minimum net density of 30 dwellings per hectare in order to ensure the most efficient use of land. The site area excluding open space (3.72ha) is 3.99 hectares, giving a net density of approximately 28 dwellings per hectare. As the application relates to a site on the edge of Raglan it is considered that criterion i) is of relevance and a slight reduction in density is more appropriate, mindful also of the quantity of open space provided within the overall site area.

5.8.3 Whilst there will undoubtedly be a change in landscape character, the most significant change would be *localised* in particular when viewed from the community cemetery and footpath 377/58/1 along the eastern edge of the site, however it is not considered that it would be overbearing or unduly imposing on those features. It is considered that on balance the proposal would not cause unacceptable harm to views in and out of the site, and the impact would satisfy the requisite landscape policies within the adopted LDP. This is subject to the conditions set out at the end of this report.

5.9 Highway Safety

5.9.1 The application has been submitted with a Transport Assessment (TA), which has been subject to an addendum (June 2018). The findings of the TA have been considered by both MCC Highways Engineers as well as the Welsh Government (WG) Network Management Division, the latter in respect of the impact on the A40 and its junctions.

5.9.2 The TA modelled the two priority junctions of the A40 using Junctions 9 software. As such it recommends that both priority junctions with the A40 are operating significantly within capacity with minor queuing and delays. It also notes that the models do not take into account the 'on slip' to the A40, and as such is considered to provide a robust assessment.

5.9.3 As noted above these findings have been considered by WG who have confirmed that they have had the associated traffic generation reviewed in terms of potential impacts to the A40 and its junctions. The conclusion is that there are no adverse safety or performance impacts arising

from this proposal. Therefore as highway authority for the A40 trunk road, the WG have not raised an objection.

5.9.4 As set out in the introduction of the report, Access details are submitted for consideration now, and is not a reserved matter. The primary access to the site would be via a simple T-junction with Monmouth Road; this would be within an existing 30mph speed area and visibility standards proposed are within those set out in Manual for Streets. A second access to the site would be provided off Station Road, but this would be an emergency access only due to existing physical and environmental constraints; this road also serves Raglan School, a private nursery, the Council's highway depot, playing fields and a golf course all of which attract a significant amount of traffic. With regard to Station Road, a financial contribution of £60,000 is secured to enable the extension of the existing footway on Station Road, providing sustainable and accessible access to the recreational area / playing fields to the south-east along Station Road. This is considered to be of wider community benefit.

5.9.5 With regard to traffic impact and intensification, the TA has concluded that it would anticipate an additional 15 and 17 vehicles on High Street in the AM and PM peaks respectively. As a result of existing on-street parking this section of highway effectively operates in part as a one-way shuttle arrangement. However, the Council's Highways Engineer has confirmed that these increases are acceptable.

5.9.6 The TA did identify that the right turn from Monmouth Road onto the A40 does increase by 42% in the peak AM times and 23% in the peak PM times. Although the percentages are high, the actual numbers are relatively low. The Council's Highway Engineer is satisfied with the findings of the capacity analysis and that there is sufficient capacity to accommodate up to 111 dwellings.

5.9.7 Therefore, it is concluded that when factoring in the additional 45 dwellings pending approval at Chepstow Road, the increase in traffic movements would have a limited impact on the local highway network and the proposed access would operate effectively and safely. The proposed development is therefore considered to meet the requirements of Policy MV1 of the adopted LDP.

5.9.8 The internal layout of the site would be considered as part of the detailed reserved matters application, and with regard to parking, this would be required to meet Monmouthshire's Parking Standards (one space per bedroom up to a maximum of three with dimensions of 4.8m x 2.4m).

5.9.9 Finally whilst the village of Raglan enjoys a number of facilities including a primary school, a surgery, public houses/ restaurants, retail shops and petrol station it is not well served in terms of public transport. The village has no train station with the nearest in Abergavenny, whilst there are two bus services, No.60 to Newport and Monmouth, plus No. 83 to Abergavenny and Newport. Both currently have 7-8 buses per direction each day. A commuted sum of £60k is to be secured through a Unilateral Undertaking to improve this service.

5.10 Residential Amenity

5.10.1 Owing to the outline nature of this application, with all matters reserved (except access), details of the final number and location of the proposed dwellings have not been provided and therefore cannot be considered at this stage. However, the site would be bound on its northern and eastern flanks by neighbouring dwellings along Monmouth and Station Roads respectively, separated by the public highway. The GI Masterplan shows a soft green boundary to the site, particularly to the east. It is for this reason, coupled with the sloping topography of the site that it is considered that it can satisfactorily accommodate up to 111 dwellings without causing unacceptable harm to the amenity of any third parties and therefore meet the requirements of Policy EP1 of the LDP.

5.10.2 The Council's Environmental Health Officer (EHO) has considered the impacts of the proposed development including a Noise Assessment that has been carried out. Whilst no objections have been raised, the EHO has requested a condition to secure and implement a Construction Environmental Management Plan (CEMP). This is in addition to a request by the Council's Highways Engineer for a Construction Transport Management Plan (CTMP). It is considered that the details to be agreed through the CTMP, including measures to control dust, noise and other related nuisance, would provide adequate safeguards to adjoining parties and the

wider community and thus, there would be no need to duplicate the requirements through multiple conditions.

5.11 Ecology

5.11.1 The application has been supported by a number of investigative surveys which include a Great Crested Newt (GCN) Mitigation Strategy, Dormouse Mitigation Strategy and Ecological Assessment. Both Natural Resources Wales (NRW) and the Council's Ecologist have been consulted on the survey work undertaken. At the time of their comments NRW noted that that dormouse survey work was ongoing but due to the existence of a dormouse record approximately 350m from the site, and the presence of suitable habitat on site, the application assumed that dormouse are present on site, so takes a worst case scenario rather than using surveys to prove if they are on site or not. GCN had been recorded at a pond approximately 50 metres to the south of the site boundary, although NRW have accepted that the mitigation strategy submitted sufficiently addresses their detailed requirements.

5.11.2 In their conclusion NRW have advised that they do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range, subject to conditions which are detailed at the end of this report.

5.11.3 The Council's Ecologist has sought further information and clarification on matters as detailed in the consultation response found earlier in this report, which includes clarification of the site area as 7.71 hectares. Confirmation has now been provided of the deliverability of the 5m buffer native thorny species planting along retained hedgerows and references to tussocky grassland in the mitigation strategies has been amended to just 'grassland' which would allow for negotiation over management at reserved matters. It has also been confirmed that a dead ash tree would need to be removed, owing to health and safety matters. A small owl nest was found on site in an oak tree (tag 1381). The species would be able to continue to use the site as the tree will be retained and buffers will protect it from development impacts. There is no evidence of barn owl utilising the trees on site although nesting opportunities exist that will be retained and protected by buffers.

5.11.4 Notwithstanding the above, additional dormouse survey work was undertaken on 17th October which found no evidence of dormouse presence, only wood mouse.

5.11.5 It is therefore considered that sufficient information has now been received to inform the planning decision and that the development would meet the criteria detailed within Policy NE1 of the LDP.

5.12 Archaeology

5.12.1 Whilst the site lies outside of an Archaeologically Sensitive Area (ASA), the Council's professional consultants on such matters, Glamorgan Gwent Archaeological Trust (GGAT), has identified an archaeological restraint on the site.

5.12.2 The supporting information for this application includes a Heritage Statement prepared by Pegasus Planning Group (Report Ref: P17-1744, dated June 2018). The report details the geophysical survey that was undertaken across the application area, which was comprised of a gradiometer (magnetometry) survey, followed by a targeted resistivity survey, in order to identify any potential buried archaeological remains. The findings of this show potential for the survival of organic remains within the possible identified palaeochannel features, which can consequently inform upon the palaeoenvironment of the area. Therefore GGAT have requested a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource which is considered reasonable.

5.13 Response to the Representations of the Community Council and Other Third Parties

5.13.1 The majority of the issues raised by third parties, including Raglan Community Council and the action group, have been addressed already in the preceding sections of this report. Other issues and objections raised include a holding objection from the Woodland Trust to the application on the grounds of potential impact to several veteran trees on site. The application is made in outline only, with matters of layout and landscaping reserved. The submitted Arboricultural Impact Assessment report and associated Tree Loss and Impact Plan make clear

that the alignment of new footpaths, development parcels and attenuation features are shown indicatively at this outline stage, and that adjustments to their positioning will be made at the detailed design stage to avoid incursions within the root protection areas of trees. There is a clear principle, at this outline stage, to accommodate the site's veteran trees within new open spaces. One veteran tree must be felled for safety reasons.

5.13.2 Although not a material planning consideration, a large volume of representations has been raised in respect of a legal covenant on the land. Approval of planning permission would not overrule any legal covenants, nor do such covenants prevent the granting of planning permission. They are matters for the land owner to resolve. The covenant is of some relevance in this instance however, because the rationale for granting planning permission is to secure the timely delivery of much needed market and affordable housing. By way of an update the applicant has confirmed that their legal advice is that the covenant has now expired. There were a number of beneficiaries of the original covenant, some of whom previously claimed that the covenant had not expired. Due to these claims, and notwithstanding the principle that the existence of a covenant should not prevent the granting of planning consent, Richborough Estates (the applicant) obtained Leading Counsel Opinion that confirmed that the covenant has expired and is no longer effective. The majority of original beneficiaries have now taken legal advice and have confirmed that the covenant is no longer enforceable and that they do not wish to be party to any further legal proceedings. While it is understood that a small number of beneficiaries have not confirmed that they have accepted that the covenant has lapsed, in summary, the covenant is not an impediment to the development of the site for residential purposes. In terms of timely delivery of housing, the condition relating to submission of Reserved Matters within 12 months and commencement within 12 months of Reserved Matters approval secure that issue.

5.13.3 A number of objections have been raised regarding the principle of approval of development outside of the Local Development Plan. While these concerns are understood, this matter was given consideration as part of the Council decision on 20th September. This application complies with the 'ground rules', as set out in detail in section 5.1.3 above. Concerns regarding the scale of development are noted, however on balance the site is considered to be a logic rounding off of the village. Raglan has a good range of amenities and good connectivity to the rest of the county via road links, and with a S106 contribution to improve bus services. The scale of development is considered to be acceptable in relation to the scale of Raglan itself: while not insignificant as a proportion of Raglan now, it would remain a modestly sized village. Importantly, the site is within easy walking distance of the primary school, shops and associated amenities in the village, and the additional patronage would support the sustainability of those amenities. Should Committee be minded to approve this application, however, it is considered that no additional residential development should be approved on unallocated sites, with any further expansion being considered via the next LDP. This would be similar to the stance taken in Llanfoist.

5.14 Well-Being of Future Generations (Wales) Act 2015

5.14.1 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 WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG 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 WBFG Act.

5.15 Conclusion

5.15.1 Although this site is not allocated in the LDP as a new strategic housing site and is not within the Village Development boundary for Raglan it does conform to the strategy outlined in the Paper "Addressing our lack of 5 year land supply: Monmouthshire's Approach to Unallocated Sites". The purpose of that Paper was to establish the Council's decision on the weight to be given to our housing land supply shortfall. This report was adopted by Members in September of this year.

As a result of Member's decision to adopt the report the Council will give appropriate weight to its housing land shortfall when considering planning applications. This means that our current housing land supply shortfall is considered as a material planning consideration when considering planning applications. However, it does not have considerable or over-riding weight, and the 'ground rules' detailed previously in this report must be adhered to.

5.15.2 Raglan's status as a Rural Secondary Settlement is in line with the ground rule which restricts development to such settlements (excluding Llanfoist) and the Main Towns. Concerns raised through the consultation exercise regarding the scale of the proposed development in relation to the existing settlement have been carefully considered. On the basis of the assessment of all relevant material planning consideration set out in the preceding sections of this report, it is concluded the proposal is proportionate to the existing settlement. Subject to planning conditions and contributions detailed below, the provision of up to 111 dwellings could be assimilated into the village without causing unacceptable harm to its amenities, infrastructure or historic setting.

6.0 RECOMMENDATION: APPROVE

Subject to a Unilateral Undertaking requiring the following:

Unilateral Undertaking Heads of Terms

1. 35% of the total number of dwellings shall be Affordable Housing.
2. £60k towards the improvement of local bus service.
3. £60k to enable the extension of the existing footway on Station Road providing sustainable and accessible access to the recreational area / playing fields to the south east along Station Road.
4. A combined off-site recreation and play contribution to be provided at the rate of £2,356 per dwelling to cover the cost of improvements to one or more of the following local community facilities:
 - community hub facilities on the former primary school site;
 - the existing LEAP at Prince Charles Road;
 - access to and support of a new play provision in the vicinity of the existing multi use games area.
5. Commuted sum to be agreed for the management of the open space and wild play area unless these areas are maintained by a private management company.
6. £17,257.00 per pupil towards the shortfall of places to improve facilities at Raglan Primary which is a 210 place school. The exact contribution will depend on the number of pupil places, which is calculated via the formula set out in the draft SPG (January 2018).
7. To enter into a Section 278 Agreement under the Highways Act 1980 for the proposed Monmouth Road junction, footways, street lighting, crossing provision, the widening and improvement of the existing footway on Monmouth Road, the provision of speed limit gateway and speed awareness measures.

Conditions:

1 Approval of the details of the layout, scale and appearance of the building(s) and the landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority prior to any works commencing on site.

REASON: The application is in outline only.

2 (a) Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of one year from the date of this permission.

b) The development hereby approved must be begun either before the expiration of two years from the date of this permission, or before the expiration of one year from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: In order to comply with Section 92 of the Town and Country Planning Act 1990 and to adhere to the ground rules set out in "Addressing our lack of 5 year land supply: Monmouthshire's Approach to Unallocated Sites".

3 The details submitted pursuant to the Reserved Matter for landscaping shall reflect the guidelines set out in Plan 11: GI Masterplan and Illustrative GI Masterplan in addition to providing details incorporating;

- proposed finished levels or contours;
- means of enclosure;
- Hard surfacing materials;
- Soft landscape details including planting plans, specifications including

cultivation and other operations associated with plant and grass establishment, schedules of plants, noting species, sizes, numbers and densities;

4 The details submitted pursuant to the Reserved Matter for layout shall include the proposed and existing functional services above and below ground (e.g. drainage details, power etc);

- Water Features (including SUDS details);
- Clarification of access connections beyond the site.

REASON: To ensure the provision afforded by appropriate landscape design and Green Infrastructure in accordance with policies LC5, S13, and G11 and NE1.

5 All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. A time table for these works shall be submitted as part of the reserved matters submission and all works shall be carried out in accordance with the timetable agreed with the Local Planning Authority. The planted areas shall be kept clear of underground utilities. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

6 A "lighting design strategy" shall be submitted at Reserved Matters for approval in writing by the local planning authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for biodiversity 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. 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 habitat used by foraging and commuting species and to limit adverse changes to behaviour of biodiversity in accordance with LDP policy EP3 and in the interests of visual amenity in fulfilling LDP Policy LC5.

7 Pursuant to the submission of Reserved Matter for landscaping, a Green Infrastructure Management Plan shall be submitted to, and be approved in writing by, the local planning authority. The content of the Management Plan shall include the following;

- a) Description and evaluation of Green Infrastructure assets to be managed e.g.
 - Community Orchard
 - Grassland
 - Swales and suds area
 - Green corridors
 - Wild play areas
- b) Opportunities for enhancement to be incorporated:
 - Management of grassland for botanical species diversity and/or protected species including reptiles
 - SUDS feature to hold water all year round
 - Provision of hibernacula suitable for reptiles/amphibians
 - Maintain habitat connectivity through site for species such as hedgehogs
 - Dark areas to support bat foraging.
 - Tree/hedgerow management

- c) Trends and constraints on site that might influence management of above features.
- d) Aims and objectives of management.
- e) Appropriate management options for achieving aims and objectives.
- f) Prescriptions for management actions.
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty-year period).
- 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 Management Plan shall also include a schedule of landscape maintenance for a minimum period of five years and shall include details of the arrangements for its implementation. 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, GI1, NE1, EP1 and SD4.

(Legislative background - Well Being of Future Generations Act 2015, Planning (Wales) Act 2015 Environment (Wales) Act 2016)

8 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.

REASON: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

9 No development shall commence until detailed design, technical audits and safety audits have been submitted for the proposed emergency vehicular access link to Station Road have been submitted to and approved by the Local Planning Authority; the development shall be carried out in accordance with the approved details.

REASON: In the interest of highway safety and to ensure compliance with Policy MV1 of the Local Development Plan.

10 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.

REASON: To ensure the development is carried out in a safe and considerate manner.

11 No development 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.

REASON: In the interest of highway safety and to ensure compliance with Policy MV1 of the Local Development Plan.

12 The development shall be carried out in strict accordance with the submitted documents and drawings:

- The Green Infrastructure Masterplan Drawing
- Great Crested Newt Mitigation Strategy, by Tyler Grange LLP
- Dormouse Mitigation Strategy, by Tyler Grange LLP

REASON: To safeguard habitats and species protected under the Conservation of Habitats and Species Regulations 2017.

13 Prior to the removal of or maintenance to any tree on site, a Method statement for the safe removal of the tree (T01 - dead ash tree drawing ref. 11094/P03) shall be submitted to the LPA for approval in writing. The method statement shall include;

- a) Methods in accordance with Best Practice to assess the tree for bat roosts
- b) Methods in accordance with Best Practice to sensitively fell the tree including climbing and section felling under the supervision of a licensed bat worker
- c) Measures and actions to be undertaken if roosts are identified at any time.

The method statement shall thereafter be implemented in full.

REASON: To safeguard species protected under the Conservation of Habitats and Species Regulations 2017.

14 Prior to the Reserved Matters Application, a strategy for carrying out bird monitoring surveys will be agreed with the Local Planning Authority and implemented in full to assess the continued use of the site by breeding birds. If any Schedule 1 (Wildlife and Countryside Act, 1981) birds are identified appropriate mitigation shall be incorporated into the Reserved Matters submission.

REASON: To safeguard nesting bird species protected by Schedule 1 of the Wildlife and Countryside Act, 1981, as amended.

15. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) 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 (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and
- h) 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.

NOTE: See BS 42020:2013, Clause 10, for a comprehensive list of issues and activities that may be considered and included within a CEMP.

REASON: To safeguard habitats and species protected under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), and Environment (Wales) Act 2016.

16. No development shall take place until a drainage scheme has been submitted to, and approved by, the Local Planning Authority. The scheme shall provide for the disposal of foul, surface and land water and shall include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no foul water, surface water or land drainage

shall be allowed to connect directly or indirectly with the public sewerage system.

REASON: To ensure satisfactory facilities are available for disposal of foul and surface water.

INFORMATIVES

1 The applicant is advised that there are public rights of way in the vicinity of the development. The grant of planning permission does not give permission to close, divert or obstruct a public right of way. Obstructing a public right of way is a criminal offence for which you may be prosecuted. You should contact the Public Rights of Way Officer, Monmouthshire County Council (Tel 01633 644860/644862) for advice on procedure should you need to close or divert a public right of way.

2 Warning: An European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at

<https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

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