



Ein cyf/Our ref: qA1286640

Mr Gareth Barton
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3 October 2019

Dear Mr Barton

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77.
APPLICATION BY RICHBOROUGH ESTATES.
OUTLINE APPLICATION FOR 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 AT LAND SOUTH OF MONMOUTH ROAD, RAGLAN,
MONMOUTHSHIRE.
APPLICATION NO: DM/2018/01050.**

1. Consideration has been given to the report of the Inspector, Hywel Wyn Jones BA(Hons) BTP MRTPI, who held a Hearing in respect of your client's planning application, Local Planning Authority reference DM/2018/01050.
2. On 12 December 2018, in accordance with section 77 of the Town and Country Planning Act 1990 ("the 1990 Act"), the planning application was called in for decision by the Welsh Ministers. Under the provisions of the Government of Wales Act 2006, the power to determine applications under section 77 of the 1990 Act has been transferred to the Welsh Ministers, these functions have been exercised by me as Minister for Housing and Local Government.
3. In exercising their functions, as part of carrying out Sustainable Development in accordance with the Well-being of Future Generations Act ("the FG Act 2015"), section 2 of the Planning (Wales) Act 2015 requires the Welsh Ministers, as a public body, to ensure the development and use of land contributes towards improving the economic, social, environmental and cultural well-being of Wales. In order to act in this manner, the Welsh Ministers have taken into account the ways of working set out in section 4 of 'SPSF1: Core Guidance, Shared Purpose: Shared Future – Statutory Guidance on the

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Future Generations Act 2015' through examination by way of a Hearing in accordance with The Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017.

4. The Inspector held a Hearing on 5 June 2019 and made a site visit on the same day. The Inspector recommends the application is refused. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, relate to the IR.

Main Issues

5. I agree the main issues are as listed in IR 76:
 - a) the application of the transport hierarchy in relation to new development as advocated in Planning Policy Wales;
 - b) the appropriateness of new housing on a greenfield site outside the settlement boundary, having regard to local and national planning policies;
 - c) the effect on the character and appearance of the village and surrounding landscape;
 - d) the effect on historic assets;
 - e) the contribution to the supply of housing within the County, including the local provision of affordable housing; and
 - f) the overall planning balance taking into account any harm or benefit identified in relation to the foregoing considerations.

Transport Hierarchy

6. The Inspector describes Raglan as a rural village which provides a good range of day-to-day services and facilities for residents. However, for less frequent needs, residents are likely to visit one of the larger towns in the County or travel to Newport, Cardiff and Bristol. These centres are also likely to provide the main employment opportunities for many residents (IR 77).
7. The Inspector notes the design of the scheme, supplemented by financial contributions secured by a Unilateral Undertaking (UU), seeks to encourage trips to local facilities and services (IR 78 -79).
8. Whilst the Inspector notes a recommended condition would secure faster broadband connection, which would encourage home working, it is likely that many workers would still need to travel (IR 80).
9. The scheme would encourage use of public transport by providing good footway links and relocating existing bus stops. A financial contribution to improve the existing bus service is also proposed. The aim is the initial cash injection would encourage greater use allowing the service to be self-sustaining (IR 81).
10. The Inspector considers the restricted bus frequency and the additional time taken to travel by bus means the car is likely to be the preferred commuting option for a significant proportion of prospective residents (IR 82).

11. Whilst the National Cycle Route to Monmouth (7.5 miles) and Usk (5.5 miles) would provide an alternative to motorised transport for prospective residents working in these areas, the Inspector considers the number of prospective residents using this option is likely to be very modest. In any event, the main employment opportunities would lie in more distant, larger settlements (IR 83).
12. The provision of connection points for Ultra Low Emission Vehicles (ULEV) is a proactive measure although the Inspector notes the effect may take some time to materialise as ULEV ownership levels are initially likely to be low (IR 84).
13. On this matter the Inspector considers the proposed development is well connected to a good range of day to day facilities with measures to encourage walking, cycling and public transport use. However, the site is not well connected to the services and employment opportunities which are provided in the larger settlements. Therefore, it is likely many prospective residents will rely on car travel to a significant extent. The Inspector considers this is particularly the case as the scheme would serve demand arising from the south of the County. On balance, the Inspector considers the scheme does not perform well in relation to the transport hierarchy and, therefore, conflicts with Planning Policy Wales (PPW) (IR 85).
14. I agree with the Inspector's conclusions on this matter. Paragraph 4.1.12 of PPW clearly states that, "the sustainable transport hierarchy should be used to reduce the need to travel, prevent car-dependent developments in unsustainable locations, and support the delivery of schemes located, designed and supported by infrastructure which prioritises access and movement by active and sustainable transport". Whilst PPW recognises different approaches to sustainable transport will be required in different parts of Wales, particularly in rural areas, the application would introduce a significant number of new dwellings outside the defined settlement boundary of Raglan. I agree with the Inspector that, given the site is not well connected to the services and employment opportunities provided in larger settlements, it is likely many prospective residents will rely on the car to a significant extent. The proposal, therefore, fails to accord with the sustainable transport hierarchy set out in PPW.

Greenfield site outside the settlement boundary

15. The Inspector notes the main parties consider, having regard to the Council's "Protocol" for addressing the lack of 5 year housing land supply, developing this greenfield site outside the identified settlement limits of Raglan is justified by the shortage of housing land supply in the County (IR 86).
16. The Inspector considers the scheme conflicts with the Monmouthshire County Council Local Development Plan (LDP) in terms of the scale of local growth and its location outside defined development boundaries (IR 87 - 88). I note the LDP was adopted in 2014 and covers the period to 2021.
17. There is no evidence to suggest that developing this site would prejudice the opportunity to develop any previously developed land that would be suitable for housing (IR 89).
18. The Inspector notes approximately two-thirds of the site is estimated to fall within class 3a of the Agricultural Land Classification system. Class 3a agricultural land is the lowest quality land that comprises best and most versatile (BMV) land. PPW seeks to protect BMV and states "land in grades 1, 2 and 3a should only be developed if there is an overriding need for the 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” (IR 90).

19. Whilst the applicant recognises the value placed on the agricultural land, it considers most of the land that is otherwise suitable for new housing around Raglan is of a higher quality (IR 91).
20. Whilst acknowledging planning constraints on new housing sites, the Inspector notes the LDP process provides the robust, transparent and inclusive system for identifying the most suitable sites. The justification for loss of BMV is based on the proposition that development must take place in the vicinity of Raglan. However, the Inspector considers this is a false premise given the primary justification for the scheme is the delivery of housing to meet the County’s need. Therefore, the Inspector considers the loss of agricultural land is a harm which carries significant weight (IR 92).
21. The scale of the proposed development in relation to the host settlement and its location away from the growth centres identified in the Plan mean the scheme does not align well in terms of the adopted LDP strategy. Therefore, the Inspector finds the breach of the defined settlement boundary and scale of proposed development conflict with LDP policies S1, LC1 and S2 and is a weighty consideration against the scheme (IR 93).
22. I note that PPW states considerable weight should be given to protecting BMV from development because of its special importance. PPW states BMV land should only be developed if there is an overriding need for the development and then subject to other criteria, as set out in paragraph 18. I do not consider there is an overriding need for the development to take place on the application site and, therefore, I agree with the Inspector that the proposed development fails to accord with PPW due to the loss of BMV land. I also agree the proposal conflicts with LDP policies S1, LC1 and S2 due to the breach of Raglan’s settlement boundary and the scale of proposed development.

Character and appearance

23. The Inspector considers the impact of the proposal on trees, hedgerows, landscape and infrastructure capacity (IR 94-98). On these matters, the Inspector concludes, subject to further consideration of detailed aspects of the scheme at a later stage, the scheme’s effect on the character and appearance of the village and its surrounding landscape to be acceptable (IR 99). The Inspector also considers its design accords with the high quality sought by LDP policy DES1. Whilst I note details of appearance, landscaping, layout and scale are reserved matters for future consideration, I am satisfied with the Inspector’s conclusions on this issue.

Historic assets

24. The Inspector notes the village of Raglan clearly lies within the setting of the Castle, a Grade I listed building and Scheduled Monument. However, noting the specialist comments of Cadw, the Council and the applicant, the Inspector finds the scheme would not harm the significance of the Castle. The extension of the built form in a direction away from the Castle, as proposed, would not materially alter the relationship between the Castle and the village and its surrounding countryside (IR 100).

25. Whilst the proposed development would result in the loss of some restricted views from the application site of the upper parts of the Castle, the Inspector does not consider the loss of these views would affect the significance of the asset within its setting (IR 101).
26. The Inspector notes the Grade II* listed building, St Cadoc Church, is approximately 175m from the site. However, the Inspector considers there would be no material impact on the significance of this asset (IR 102).
27. The Grade I Historic Park and Garden is estimated to be within 245m of the application site. However, the Inspector considers the extent to which buildings and significant lines of trees screen the site mean there would be no material impact on this asset (IR 103).
28. The site lies adjacent to part of Raglan Conservation Area. The Inspector notes neither the Council's Conservation Area Appraisal nor the specialists at the Hearing were able to identify any special character of the designated area that would be harmed by the development, other than the loss of farmland which forms part of the wider setting of the historic village. Although the Inspector considers the harm is small, given the protection afforded to conservation areas in PPW and by LDP policy HE1, it is given modest weight (IR 104).
29. The Inspector notes the scheme has been designed to avoid building on that part of the site which straddles part of the boundary of an historic deer park. An archaeological watching brief condition would protect any archaeological features revealed during construction (IR 105).
30. On this matter the Inspector concludes the scheme would cause minor harm to the setting of the conservation area, in conflict with local and national planning policy. In terms of other nearby historic assets, the Inspector is satisfied the proposal would not harm their setting. There would be no harm to the potential archaeological value of the site and no materially harmful cumulative impact would arise (IR 106).
31. Having regard to the statutory duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, I am satisfied with the Inspector's conclusions on the effect on historic assets.

Housing Supply

32. The Inspector notes the latest Joint Housing Land Availability Study identifies a 4 year housing land supply. The Council estimates by the end of the LDP plan period in December 2021 there will be a shortfall in housing delivery of 504 dwellings against the target of 4,500 units. It confirms the area of greatest shortfall in housing delivery is in Chepstow and Severnside in the south of the County, which are identified as key parts of the LDP's settlement hierarchy. The Council considers there are few options available in this area to meet demand (IR 107-109).
33. The applicant confirmed at the Hearing that the proposed scheme could be realised within 2 years of the grant of permission. The parties agreed a condition which would ensure both open market and affordable housing contain a mix of house types that would meet the greatest need as identified in the Local Housing Market Assessment (IR 110-111).

34. The Inspector takes account of the disapplication of paragraph 6.2 of Technical Advice Note 1 by the Welsh Ministers. However, noting PPW requires local planning authorities to provide a 5 year housing land supply and the emphasis placed in PPW on ensuring an adequate supply of deliverable housing sites, the Inspector attaches significant weight to the present undersupply of housing in the County. The Inspector considers this weight is reduced by the likelihood the shortfall in supply will be addressed through the emergence of the replacement LDP in the next 2.5 years or so (IR 112).
35. The Council highlights the problems of affordability in the County and identifies demand for affordable housing in the Raglan ward. The Inspector notes the delivery of affordable housing against the LDP target of 960 has been high with only an extra 38 units required before the end of the plan period. The Inspector recognises this figure is not a measure of need for housing or intended as an upper limit on supply, however, it is a target which was identified as deliverable by the planning system over the LDP period. The Council notes the application site will not provide all 39 units within the LDP lifetime (IR 113-114).
36. The Inspector considers the potential of the scheme to provide 39 affordable housing units to meet pressing local need is a significant benefit. The Inspector notes the Council's need for housing is a matter for consideration at the examination into the emerging LDP (IR 115-116).
37. I note the small undersupply of housing in the County and agree the provision of affordable housing would comprise a benefit of the scheme. However, as the Inspector recognises, the emerging, replacement LDP will address housing requirements in the County.

Other considerations

38. The Inspector is satisfied, subject to the imposition of conditions, the scheme would not unacceptably affect any ecological interest. A financial contribution would be provided to allow the Education Authority to increase school capacity. Based on all the technical evidence and advice presented, the Inspector does not consider there would be any unacceptable impact on highway safety. There is no persuasive evidence that increased traffic along High Street would undermine the commercial vibrancy of the centre. A condition is recommended to remove any potential risk of localised flooding from a culvert. The Inspector does not consider approving the scheme would set a precedent for house building on adjacent fields. The Inspector notes concern over a possible restrictive covenant, which the applicant is confident is not an impediment, is a private interest matter outside the scope of the planning system (IR 117-120).

Planning balance and overall conclusion

39. Whilst the scheme would provide housing to respond to local demand and boost housing supply, the level of shortfall, at one year, and the prospect of addressing housing supply through the emerging replacement LDP means the Inspector gives this consideration moderate weight. Significant weight is given to the provision of affordable housing. However, the Inspector notes the County has performed well in the delivery of affordable housing against the LDP target and the scheme proposes no higher a provision than would be sought on allocated sites, this is not a consideration that justifies departing from the development plan approach to siting new housing (IR 121).
40. The Inspector attaches appreciable weight to the economic benefits of the scheme and modest weight to indirect benefits to the wider community from off-site works and

contributions, such as improvements to footway provision, play space and bus services (IR 122).

41. The loss of greenfield land, which is classed as best and most versatile agricultural land, is given significant weight. The Inspector considers other site specific harms that have been identified by objectors, including the effect on the setting of the Conservation Area and the Castle, and landscape impact are minor. Taken together, the Inspector concludes these do not attract more than modest weight in the overall balance (IR 123).
42. In addition to these adverse impacts, the Inspector finds the scheme conflicts with the LDP strategy for the distribution of housing growth. The site is some distance from the identified areas of both highest demand for housing and greatest opportunities for employment. The Inspector considers the take up of public transport services will be relatively low due to the convenience and time saving offered by the car in this case. On this matter the Inspector concludes Raglan is not a settlement that performs sufficiently well in relation to the Transport Hierarchy or the LDP strategy to justify the scale of growth proposed. The Inspector gives this consideration considerable weight, particularly recognising the environmental dimension to the Well Being of Future Generations (Wales) Act 2015 and the importance of promoting sustainable development (IR 124).
43. The Inspector considers the scheme's conflict with the development plan does not align well with the emphasis on placemaking set out in PPW. PPW identifies sustainable placemaking as an inclusive process, involving all those with an interest in the environment, which focuses on developing plans and making decisions that contribute to sustainable places. The Inspector states, in proposing housing growth in a location distant from identified employment opportunities, the scheme lacks the holistic approach advocated in PPW which seeks development in the right place to achieve sustainable placemaking outcomes (IR 125).
44. The Inspector's overall conclusion is the present need for housing that has been identified, when taking into account measures to secure a replacement LDP, does not justify permitting the scale of development on the edge of this rural village. In reaching this conclusion, the Inspector is mindful of the primacy of the development plan in decision making, not least given the degree of certainty, transparency and engagement this provides to all stakeholders, including local communities. The Inspector recommends the application be refused (IR 126-128).
45. Subject to my comments above, I agree with the Inspector's conclusions and reasoning set out in IR 76 – 128. I accept the recommendation that the application be refused.

Formal Decision

46. For the reasons given above and in exercise of the power referred to in paragraph 2 of this decision letter, I refuse planning permission for application reference DM/2018/01050.
47. In reaching this decision I have had regard to section 38 (6) of the Planning and Compulsory Purchase Act 2004 which requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. I also note the duty to carry out sustainable development under section 2 of the Planning (Wales) Act 2015 and I consider the decision accords with the sustainable development principle set out in the FG Act 2015. In accordance with section 3(2) of the FG Act 2015 and the well-being objectives of the Welsh Ministers, the decision will contribute towards the Welsh Ministers' well-being objective to "Drive sustainable growth

and combat climate change". This is particularly important given the Welsh Government's climate emergency declaration.

48. A copy of this letter has been sent to Monmouthshire County Council, those who took part in proceedings and to those who asked to be informed of the decision.

Yours sincerely

A handwritten signature in blue ink that reads "Julie James". The signature is written in a cursive, flowing style.

Julie James AC/AM

Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government

Adroddiad

Gwrandawriad a gynhaliwyd ar 05/06/19

Ymweliad safle a wnaed ar 05/06/19

gan Hywel Wyn Jones BA(Hons)
BTP MRTPI

Arolygydd a benodir gan Weinidogion
Cymru

Dyddiad: 31/07/2019

Report

Hearing Held on 05/06/19

Site visit made on 05/06/19

by Hywel Wyn Jones BA(Hons) BTP
MRTPI

an Inspector appointed by the Welsh
Ministers

Date: 31/07/2019

TOWN AND COUNTRY PLANNING ACT 1990 - Section 77

APPLICATION BY RICHBOROUGH ESTATES

LOCAL PLANNING AUTHORITY: MONMOUTHSHIRE COUNTY COUNCIL

Outline application for 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

Land to the south of Monmouth Road, Raglan

File Ref: APP/E6840/V/18/3218503

Site address: Land south of Monmouth Road, Raglan

- The application was called in for decision by the Cabinet Secretary for Energy, Planning and Rural Affairs for the Welsh Ministers, made under section 77 of the Town and Country Planning Act 1990, on 12 December 2018.
- The application is made by Richborough Estates to Monmouthshire County Council.
- The application, ref: DM/2018/01050 is dated 25 June 2018.
- The development proposed is 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.
- The reason for making the direction was that the application does not clearly demonstrate whether the development proposal has appropriately taken into account the transport hierarchy in relation to new development including the opportunities to promote active travel journeys and secure new and improved active travel routes and related facilities.
- On the information available at the time of making the direction, the following were the matters on which the Welsh Ministers particularly wished to be informed for the purpose of their consideration of the application:
 1. The application of the transport hierarchy in relation to new development as advocated in Planning Policy Wales (Edition 10, December 2018) (PPW).
 2. The appropriateness of new housing on a greenfield site outside the settlement boundary, having regard to local and national planning policies.

Summary of Recommendation: That the application is refused.

Procedural Matters

1. The application seeks outline permission with all matters, save for the means of access onto Monmouth Road, reserved for future consideration.
2. In advance of the call-in direction the Council's planning committee had resolved on 6 November 2018 to approve the application. The application was re-considered by the committee on 19 March 2019 in response to inaccuracies in the housing supply figures included in the original committee report and to consider any implications arising from the publication of the sustainable transport hierarchy in Planning Policy Wales, Edition 10 since the previous committee meeting. It was resolved to confirm that the committee would have resolved to approve the application had it retained jurisdiction.
3. Having regard to the Town and Country Planning (Environmental Impact Assessment (EIA)) (Amendment) (Wales) Regulations 2017, in a letter dated 10 January 2019 Welsh Government confirmed that the project is not EIA development within the meaning of those Regulations.
4. I undertook a visit to the site and its immediate surroundings on 5 June accompanied by representatives of both main parties and other interested parties, and on the previous day I visited the surrounding area unaccompanied.
5. In accordance with the approach explained at the hearing I agreed to adjourn the event to enable the main parties to prepare a final version of suggested conditions and a Deed of Variation to the previously submitted unilateral undertaking (UU). On receipt of these documents the hearing was closed in writing on 19 June 2019.

The Site and Surroundings

6. The site, which extends to some 7.71 ha, is a single field of semi-improved grassland located on the east of Raglan village. It is bounded to the north by

Monmouth Road and by Station Road to the west save for a small parcel of land adjacent to the junction which is a relatively recent addition to the nearby Church cemetery. In other directions the site bounds open fields.

7. The built-up area of Raglan lies to the north, and more particularly to the west. Outside the development boundary of the village, the nearby land is characterised by open fields with sporadic buildings, mainly of agricultural or residential character. There is also a recently constructed primary school, a dwelling and a nursery that lie directly to the west of the application site, outside the settlement boundary, and to the south of the site separated by a large field lies a Council depot. The site is enclosed by mature hedgerows for almost all its length. Within the field and along sections of the boundary there are veteran trees the subject of a tree preservation order (TPO). The site slopes down by some 12m southwards. A locally popular section of a public footpath crosses the site adjacent to its eastern boundary.
8. There are some 549 dwellings within the village. Raglan Conservation Area is located to the north of Monmouth Road. Raglan Castle, a Grade I Listed Building and Scheduled Monument and its Grade I Registered Park are located to the north of the site, on the other side of the A40 road. To the west of the site lies Raglan Church, a Grade II* listed building, which lies within the village centre.
9. The village provides a range of facilities, including shops, public houses, restaurants and takeaways, post office, doctor's surgery and pharmacy, garage and petrol filling station, places of worship and playing fields.¹ There are several other employment uses nearby, including small industrial/business parks. There are bus stops on Monmouth Road which connect to Newport, Monmouth and Abergavenny. The nearest railway station is Abergavenny (8.5 miles or so).

Planning Policy

Local policy and guidance

Local Development Plan

10. The Monmouthshire Local Development Plan (LDP) was adopted in 2014 and covers the period to 2021. The site lies outside the defined settlement boundary which is demarcated by Monmouth Road on the site's northern boundary and a section of Station Road on the western side. Policy S1 identifies Raglan as a Rural Secondary Settlement which is suitable for a "small amount of new housing development". It, and policy LC1, restrict development outside development boundaries to specific types of housing none of which apply in this case.
11. Policy S2 explains that the Plan makes provision for some 4,950 dwellings to be built which includes a 10% flexibility allowance to enable the target of 4,500 units to be met by the end of the Plan period. A total of 75 dwellings are identified for Raglan, comprising commitments, windfalls and allocations.
12. Policy S4 sets an affordable housing target of 960 units and identifies the relevant on-site affordable housing contribution expectation as 35% of the total units. S7 requires the provision of necessary infrastructure and deals with related developer contributions. S12 requires sustainable and efficient resource

¹ Paragraph 2.13 of the applicant's Statement of Case provides a detailed list of facilities and distances from the site

use and S13 deals with landscape, green infrastructure and environment considerations, including requirements to preserve local distinctiveness, sense of place and setting, and protecting existing key landscape views and vistas. S17 relates to placemaking, requires development to be of high quality and to respect its surroundings. LC5 seeks to protect and enhance landscape character, permitting development that would not have an unacceptable adverse effect on the special character or quality of Monmouthshire's landscape in terms of its visual, historic, geological, ecological or cultural aspects.

13. CRF2 sets open space and recreation standards. SD4 sets an expectation for the use of Sustainable Drainage Systems (SuDS) and GI1 provides an expectation for green infrastructure. The protection of biodiversity is dealt with by NE1.
14. Policy S16 requires that, where possible, all development proposals promote sustainable transport which reduces the need to travel, especially by car. MV1 seeks to ensure that schemes include measures to improve access by public transport, walking, cycling and reducing car journeys, MV2 encourages sustainable transport links, including public transport, walking and cycling.
15. HE1, requires development proposals in conservation areas to have regard to the conservation area appraisal for that area and will be permitted if they preserve or enhance the character or appearance of the area or its landscape setting and have no serious adverse effect on significant views into and out of the conservation area. In terms of other historic assets, the LDP relies on national policy and advice.

Emerging LDP

16. The Council has commenced preparation of a replacement LDP. The application site was proposed as part of the first tranche of candidate sites. It is proposed to consult on a Preferred Strategy in autumn 2019 with plan adoption anticipated in late 2021/early 2022.
17. The Council considers no weight should be afforded to the emerging Plan until its adoption, other than to the extent that it identifies a direction of travel for new policy. It also suggests that there is a time lag after adoption before the first of the housing allocations are developed which, based on experience, it estimates to be some 2 years.

Supplementary Planning Guidance

18. The most relevant of the Council's Supplementary Planning Guidance (SPG) documents are Affordable Housing (2016) and Green Infrastructure (2015). At the hearing it was confirmed that the Raglan Conservation Area Appraisal & Management Proposals was adopted in March 2016 as SPG following public consultation. I have also taken account of the Draft Interim Policy Guidance Approach to Planning Obligations - Residential Development which the Council produced in November 2017. As it is a draft document which has not been the subject of public consultation it carries limited weight, but it usefully sets out the Council approach and is not disputed.

Unallocated Sites 'Protocol'

19. A Full Council meeting on 20 September 2018 endorsed a report entitled 'Addressing our lack of 5 year land supply: Monmouthshire's Approach to Unallocated Sites', which I shall refer to as the 'Protocol'. The Raglan Village

Action Group (RVAG) subsequently pointed out inaccuracies in the report on which that decision was based. In response the matter was re-presented to Council on 21 February 2019 with corrected figures when it was resolved to confirm the approach in the Protocol. Based on the latest LDP Annual Monitoring Report the Council predicts that the housing supply target of 4,500 will be missed by some 504 units, of which 38 will be affordable houses (compared to a target of 960 units). The Council deems this shortfall to have such serious undesirable consequences as to require its intervention sooner than could be achieved by the adoption of the replacement Plan.

20. Objectors point out that the Council's consideration of the Protocol has not been informed by any public consultation exercise. The Council has confirmed that it is satisfied that its approach did not require a Strategic Environmental Assessment, drawing parallels to the effect of the, now disappplied, paragraph 6.2 of Technical Advice Note 1: Joint Housing Availability Studies.
21. The Protocol explains that it has been produced in response to 3 matters: the identified shortfall in relation to the Council's 5 year housing land supply (HLS); the social, economic and demographic challenges facing Monmouthshire's communities, in particular demographic imbalance, weak economic base and growing challenges regarding housing affordability; and the identified failure to meet the LDP delivery targets of market and affordable housing by the expiration of the Plan in December 2021.
22. It is intended to provide a framework for dealing with housing planning applications in the context of a failure to demonstrate a 5 year HLS. It has been presented as a means of, firstly, encouraging the release of suitable sites for housing over and above the opportunities in the LDP in order to plug an identified shortfall. This approach was adopted by the Council in response to the decision of the Cabinet Secretary to disapply paragraph 6.2 of TAN1 in her letter dated 18 July 2018. The Council specifically refers to the letter's reference to the weight to give housing supply shortfall as a matter for the decision maker.
23. Secondly, the Protocol seeks to provide clarity to developers and local communities on the circumstances when the lack of a housing supply does not justify permitting schemes that are outside the scope of the LDP. It does this by identifying 11 ground rules² which can be summarised as:
 - 1) Greenfield sites should be outside a floodplain³ ;
 - 2) Site not to be within designated Green Wedges;
 - 3) Site not to be within employment allocations;
 - 4) Site must provide 35% affordable housing;
 - 5) Development to be acceptable in other planning terms;
 - 6) Scale of development, and other approved development, to be considered in the context of the LDP strategy;

² Appendix B to Council's Statement of Case

³ Zones C1 and C2 as defined in TAN15

- 7) Development to be restricted to the Main Towns, Severnside, and Rural Secondary Settlements;
 - 8) Size and mix of the proposed dwellings is both suitable for the location and seeks to address demographic challenges;
 - 9) Any planning permissions to have a reduced lifespan;
 - 10) Applications to be accompanied by UU at time of Committee consideration; and
 - 11) The Protocol ceases to have effect should a 5 year land supply be regained and/or the LDP housing shortfall is met.
24. The protocol indicates that it should be afforded 'appropriate weight' in determining applications for new housing. It explains that the term 'appropriate weight' allows a degree of flexibility by location, having regard to the LDP spatial strategy and settlement character, with weight decreasing as the housing shortfall is addressed.
25. At the hearing the meaning of the term 'appropriate weight' was explored. The Council explained that the phrase was introduced by the planning committee who considered that the suggested phrase 'considerable weight' was too inflexible. It was accepted that the Protocol does not seek to provide specific guidance on how weight should be apportioned.

National policy and advice

26. Planning Policy Wales, Edition 10 seeks to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. It provides a presumption in favour of sustainable development that ensures social, economic, cultural and environmental issues are balanced by the decision-taker in making decisions on individual planning applications and emphasises the importance of placemaking.
27. Where there is a need for sites, but there is no previously developed land or underutilised sites, consideration should then be given to suitable and sustainable greenfield sites within or on the edge of settlements⁴. It supports objectives of minimising the need to travel, reducing reliance on the private car and increasing walking, cycling and use of public transport.⁵ Section 4 sets out the Sustainable Transport Hierarchy and notes that different approaches to this will be required in different areas, particularly rural areas. As an example it explains that where a local authority is seeking to grow a rural village it could focus on how the design and location of development would encourage walking and cycling to the village centre, thereafter considering bus services and improving facilities for Ultra Low Emission Vehicles (ULEV).
28. Paragraph 4.2.15 establishes that planning authorities must ensure that sufficient land is genuinely available or will become available to provide a 5 year

⁴ PPW, para 3.40

⁵ PPW, para 3.45

supply of land for housing judged against the general objectives, scale and location of development required in the development plan.

29. Section 5 deals with the economic components of placemaking, including access for communities to fulfilling work which is easily reached locally through sustainable transportation infrastructure. Section 6 addresses the long-term protection and enhancement of the special characteristics and intrinsic qualities of places, be these of natural, historic or built environments. This includes the general presumption in favour of the preservation or enhancement of a listed building and/or conservation area and their setting.
30. Supporting the provisions of PPW there are a suite of relevant Technical Advice Notes (TANs) that are relevant, in particular: TAN1 – Joint Housing Availability Studies (2015); TAN2 – Planning and Affordable Housing (2006); TAN5 – Nature Conservation and Planning (2009); TAN10 – Tree Preservation Orders (1997); TAN11 – Noise (1997); TAN12 – Design (2016); TAN15 – Development and Flood Risk (2004); TAN16 – Sport, Recreation and Open Space (2009); TAN18 – Transport (2007); and TAN24 – The Historic Environment (2017)⁶.
31. As already mentioned, a Ministerial letter of particular relevance is that from the Cabinet Secretary for Energy, Planning and Rural Affairs to Chief Planning Officers dated 18 July 2018 which dis-applied paragraph 6.2 of TAN1. This removes a paragraph which refers to attaching 'considerable' weight to the lack of a 5-year housing land supply as a material consideration in determining planning applications for housing. The letter confirms that as a result of the dis-application of paragraph 6.2, it will be a matter for decision makers to determine the weight to be attributed to the need to increase housing land supply where a local planning authority has a shortfall in its housing land.

The Proposals

32. The scheme seeks outline permission for up to 111 dwellings that is envisaged to comprise a range of 1 to 4 bedroom dwellings between 1 and 2 storeys in height and would include 35% affordable housing (up to 39 units). The main access would be onto Monmouth Road. A second vehicular access for use only by the emergency services is proposed onto Station Road which would also provide unrestricted pedestrian and cycle access.
33. The scheme proposes Green Infrastructure including extensive landscaping areas, open recreational areas (which would extend over some 48% of the site) and footpaths within the site and improvements to footway provision connections nearby. Other than for access requirements the existing hedges would be retained. One dead tree would be removed because of its unsafe condition, all others would be retained and safeguarded. Measures to protect and enhance ecological features and to dispose of surface water by SuDS are proposed. Each dwelling would be served by broadband connections that would provide significantly faster speeds than currently available in the locality. Each dwelling would have its own electric car charging facility.
34. The application has been supported by numerous documents including technical reports on ecology, heritage assets, highways and transportation, landscape, noise, and flooding.

⁶ Best practice guides have been produced by Cadw to complement TAN24

The Case for Richborough Estates

35. The applicant's case is set out in its Planning Statement and other documents that accompanied the planning application, and its subsequent Statement of Case and in Final Comments. The latter document includes rebuttal comments and technical appendices in relation to the objections received in response to the publicity related to the call-in procedure.

Transport Hierarchy

36. Raglan is set in a rural context (roughly equidistant between two principal towns), although in itself is a thriving place with a wide range of day to day facilities and connections. The proposed development also brings with it opportunities to make Raglan more sustainable as a settlement.
37. The scheme has been carefully designed, in close working with Council officers, to maximise opportunities for sustainable modes of transport to take advantage of the range of services and facilities that are offered within the village as well as the linkages via bus service to larger settlements. These measures include the layout of the scheme and also measures proposed through the UU that would not only serve prospective residents of the site but also existing village residents. The suite of financial contributions to improve connectivity and accessibility total £150,000.
38. Following the introduction of the latest version of the Transport Hierarchy in PPW Edition 10, which was published after the application was lodged, the scheme has been refined to ensure consistency with this latest iteration of national policy. In response to the inclusion of ULEV into the hierarchy, the scheme now proposes that each plot is provided with charging points⁷. PPW recognises that the hierarchy should be applied according to local circumstances.
39. The village provides a wide range of services and facilities within acceptable walking distance of the site and the scheme provides a suite of measures that would improve existing walking and cycling connections to the centre as well as for recreational purposes. There are also contributions that would encourage use of public transport by prospective and existing residents. These measures would be secured through the UU and agreed planning conditions. The site is connected to nearby towns by the National Cycle Network Route 423 (NCNR 423). The distances involved (Usk some 5.5 miles and Monmouth 7.5 or so miles) means that experienced cyclists would be willing to make such trips to and from employment opportunities in these settlements. The proposed development clearly meets the policy guidelines relating to 'Active Travel' promoted within PPW. The facilitation of home working through the proposed high-speed broadband connection will reduce the need to travel to work.

Housing Supply

40. The County⁸ is experiencing a significant shortfall in housing supply. The scheme provides a means to reduce this deficit in a way that meets the ground rules set out in the Council's Protocol. This is an approach which assists the Council in

⁷ This suggestion was made at the hearing, refining an earlier proposal described in 6.63 of the applicant's Statement of Case.

⁸ All references to 'County' in this context exclude that part of Monmouthshire which falls within the planning jurisdiction of the Brecon Beacons National Park Authority.

dealing consistently with applications for new housing and in affording weight to the shortfall in housing supply in line with the Cabinet Secretary's letter on the disapplication of paragraph 6.2. Waiting for the adoption of the replacement LDP will mean that new sites will be unlikely to be delivered before 2023/24. The Council's approach as set out in its Protocol represents a housing supply intervention that accords with the expectation of PPW in such circumstances.

41. In September 2016, the Welsh Government announced the Programme 'Taking Wales Forward 2016-2021', which includes a commitment to work in partnership to deliver an extra 20,000 affordable homes to 2021. The application is supported by the Monmouthshire Housing Association on the basis of the pressing need for affordable housing in the County and particularly in Raglan. This is evidenced by the demand for the recent 10 dwelling scheme that has been developed. In March 2019, in an update to the November 2018 housing waiting list figures, 86 applicants were identified as in housing need with a connection to Raglan. This situation causes hardship to individuals and families.
42. The LDP target of 960 affordable homes should not be treated as a cap or a measure of the need. The 39 units proposed would represent a significant contribution to meeting an identified need.
43. The scheme respects the LDP's spatial strategy. The departure from the Plan, which arises from the breach of the development boundary, is justified by the scheme's contribution to boosting housing supply thereby securing sustainable development that ensures that local communities have sufficient housing, including affordable housing, to meet their needs and by directing development to sustainable locations.

The Scheme

44. The scheme has been carefully designed to relate well to the adjacent built environment and the surrounding countryside. Placemaking and improving green infrastructure have been important influences on a high quality design which would provide an attractive environment for residents, including extensive open space and a community orchard. A Heritage Statement has considered all potential effects on heritage assets. It has found no material harm to any feature other than a small level of harm to the Conservation Area. Cadw, the Glamorgan Gwent Archaeological Trust and the Council's Heritage Manager offer no objections.
45. The proposal incorporates measures to ensure that it is acceptable in all other respects. The application is supported by extensive specialist technical evidence to address all matters of potential concern, including ecology, highway safety, and flooding. It has satisfied all the statutory technical consultees engaged by the planning process. The classification of part of the site as 3a, which is the lowest category of Best and Most Versatile agricultural land, is acknowledged. For several reasons, particularly the absence of suitable alternative land of lower quality around Raglan, provides justification for its loss. PPW accepts the loss of such land where there is an overriding need for development and lower grade land is unavailable.
46. The applicant's experience and the expressions of interest from house builders demonstrates that the scheme can be delivered to comply with the shortened period for the commencement of development in line with the Protocol's ground rules.

47. The scheme will benefit the local economy, in the short term through construction work estimated to create 166 jobs and indirect benefits, and in the longer term, through increased local expenditure from prospective residents.

The Case for Monmouthshire County Council

48. The Council's position is summarised in its Statement of Case. The site lies outside the development boundary of the adopted LDP and is of a scale which is greater than the level of growth that it identified for Raglan. The Council supports the application on the basis of its timely contribution to meeting a shortfall in its 5 year housing land supply, and in particular the contribution that it would make to meeting a significant local need for affordable housing.

5 Year Housing Land Supply

49. Against the LDP housing targets there is an estimated shortfall in delivery of 504 dwellings, which includes 38 affordable homes. It has a 4-year housing land supply. This shortfall in supply below the 5 year requirement fails those members of the community in pressing need for homes by not responding to the social, economic and demographic challenges that presently face the County.
50. There are 290 households in bands 1-4 waiting for a home in the Raglan area, of which 56 have a clear local connection to Raglan. The average house price in the County is 9 times average earnings.
51. These circumstances warrant departing from the LDP, in line with a Protocol which it has agreed as a local response to the disapplication of paragraph 6.2 of TAN1. The ground rules that are set out in that Protocol are met by the scheme.

Transport Hierarchy

52. The introduction of the latest transport hierarchy in Edition 10 of PPW is acknowledged. The rural character of Monmouthshire, and the village of Raglan, justifies an approach which reflects local circumstances in accordance with paragraph 4.1.16 of PPW.
53. The proposed development is considered to meet the requirements of PPW in terms of the transport hierarchy. It would provide good active travel connections to services/facilities and therefore reduce the need to travel by car for local journeys. It is considered that the proposal has been designed to maximise connectivity within the development itself, and to the surrounding area. These factors significantly help to reduce reliance on the private motor vehicle.
54. Raglan provides a wide variety of services and facilities, including a primary school, doctor's surgery, convenience store and recreational grounds all within 225m to 600m of the centre of the application site. The UU would secure improved footway and crossing points to connect to these facilities
55. The site abuts a National Cycle Route (NCNR 423) which connects to Monmouth to the north east, and Usk to the south west. This provides an alternative means of travel to employment opportunities outside the Raglan area.
56. There is a bus stop within some 230m, with the UU making provision to provide a stop within 100m of the centre of the site. There are good bus services to Monmouth, Abergavenny and Newport with journey times of 22, 26 and 40 minutes respectively, with onward connection to rail services.

57. The scheme makes provision for infrastructure for ULEVs charging points within each plot, which is in line with the broad aim of PPW and is welcomed as the first such initiative in the County.

Greenfield site outside Settlement Boundary

58. The site is well-related to the existing built form and adjoins the settlement limit along its northern and western boundaries. In the absence of available previously developed or underutilised land it is a greenfield site suitable for development. The absence of suitable lower quality agricultural land around Raglan justifies the loss of class 3a in terms of national policy. The scheme has been designed to meet the green Infrastructure LDP policy and placemaking expectation of PPW.
59. The scheme would represent a 20.2% expansion in the number of dwellings in the village, or 28.4% when the approval on the allocated site at Chepstow Road is included. This is considered an acceptable increase which would retain Raglan as a modestly sized village.

Other Representations

60. Raglan Community Council consider that the County Council should do more to bring forward sites allocated for housing in the adopted LDP thereby avoiding the need to develop sites outside settlement boundaries. The scale of development in relation to the village is excessive, particularly taking into account other approved developments, and conflicts with ground rule 6 and LDP policy S1. This growth would damage local infrastructure; some pupils at the primary school would be displaced if it cannot be expanded. Having worked closely with the County Council in the preparation of the LDP, it considers that setting it aside would bypass important safeguards and undermine the integrity of the planning system.
61. The Raglan Conservation Group (RCG) shares the concerns of the Community Council. It also points out that Raglan is delivering the scale of growth identified in the LDP and considers that the disapplication of paragraph 6.2 of TAN1 was introduced precisely to prevent speculative applications such as this one and to reduce uncertainty for local communities. LDP review is the proper process to allocate new sites and provide for community engagement. The latest (2014) household growth projections indicate that the annual rate for new housing in the adopted Plan of 450 should be revised down to 240 homes. There would be landscape harm by urbanising an important edge of village site. The setting of the Castle, Church and the Conservation Area would be harmed. The A40 eastern crossing junction is a dangerous arrangement with accidents recorded. Additional traffic through the High Street will lead to pressure to restrict parking thereby harming shops. Ecology reports are incomplete in relation to bats, dormice and great crested newts. The loss of best and most versatile agricultural land conflicts with PPW. Finally it is suggested that flooding constraints prevent the expansion of the primary school.
62. The Raglan Village Action Group (RVAG) were represented at the hearing by planning, transportation and heritage specialists. The concerns it raises, which are detailed in its detailed written submissions including a Call-in Supplementary Statement, in most respects align closely with the Community Council and RCG. It considers that the stated scale of the Council's 5-year housing supply problem has been over stated and will reduce as allocated sites are developed. Sites are

now being progressed and this trend is expected to continue as the housing market becomes more buoyant after the abolition of the Severn tolls. The LDP affordable target requires only 38 more units to be met. This target is a robust one which, until a new Plan is adopted, should be favoured over more recent documents such as the Local Housing Market Assessment (LHMA) July 2018, and the accounts of individual families. Not all those identified as in need of affordable housing will rely on the planning system to meet their need.

63. The Protocol was devised to meet an undersupply of housing, but its ambition has been significantly broadened to tackle many other aspirations. Its approach, which has been decided without public consultation, is not the only solution to the identified problems. The application fails to satisfy several of the Protocol's Ground Rules (GR) – GR5 is breached as the scheme is not acceptable in other planning terms (conflict with transport hierarchy, harm to nationally designated heritage assets and valued landscape, and failure to promote a sense of place); the scale of growth conflicts with GR6; the site location is outside the area of the housing shortfall in conflict with GR7; the failure to identify how the new housing would align with demographic challenges conflicts with GR8. The scheme would spoil locally valued views and a much-used circular footpath. It conflicts with numerous LDP policies and PPW.
64. Raglan is described as a dormitory community with residents commuting to places such as Monmouth, Abergavenny, Newport and Cardiff because of the limited employment opportunities locally. These settlements are also the principal shopping destinations for goods and services other than the day-to-day provision in the village. The lack of demand for the bus service saw the frequency of one reduce from hourly to 2 hourly in 2018. A survey undertaken by the Group on 2 days suggests that there was no commuter use of buses by residents. The proposed financial contribution to the bus service is a gesture that will not change behaviour and there is no reason to believe that prospective residents of the scheme would not follow the same pattern as existing. Travelling by train would depend on linking by bus or car to the nearest stations, the nearest of which is 8.5 miles away in Abergavenny. Compared to car journeys commuting by bus and train is less convenient and more time consuming and inflexible. The LDP recognises that in rural areas residents are likely to continue using their cars. There is no evidence that any residents cycle to nearby towns to work, and the distances involved make this unlikely in the future. The provision of ULEV charging points should be a standard provision for new housing. Its inclusion in the scheme is welcomed but is not likely to be a significant influence on future residents owning such vehicles, given the cost of purchase and the limitations of the present network of charging facilities.
65. There are other sites that are more suitable to contribute to housing supply.
66. Dr Rees, a retired Inspector of Scheduled Ancient Monuments with Cadw, spoke on behalf of RVAG at the hearing but had not submitted written representations. She emphasised the importance of the internationally renowned Castle. She suggested that the extent to which the development would be visible from the upper parts of the Castle's ramparts would be greater than described by the specialists for the applicant and Council. Nonetheless she agreed that the effect would not be significant. However, she considered that the cumulative effect on local heritage assets would be a significant one.

67. Responding to the accident record on the relevant section of the A40 Ms Margaret Langley explained to the hearing that she had witnessed several accidents that had not been recorded as well as other incidents where accidents were only narrowly avoided.
68. Other concerns raised include the impact on a popular recreational walking route, the existence of a legal covenant preventing the land's development, the susceptibility of lower land to flooding, an increase in pollution levels, and that the scheme would set a precedent for further development of adjoining fields and more widely.
69. Expressions of support have also been submitted, citing benefits including providing additional housing in an attractive area which provides good commuting options. The affordable housing contribution would allow young people to move back to their community thereby introducing vibrancy and a more balanced demographic mix.
70. There were a number of consultation replies to the planning application. With the exception of the Community Council none raised objection to the scheme. Responses were received from: Natural Resources Wales; Glamorgan Gwent Archaeological Trust (GGAT); Welsh Government Network Management Division; Cadw; Dŵr Cymru Welsh Water; and Council officers in relation to: Highways, Planning Policy, Environmental Health, Housing Strategy and Policy, Green Infrastructure, Biodiversity, and Heritage.

Conditions and Obligations

Conditions

71. A draft list of suggested conditions was discussed at the hearing on a without-prejudice basis should the Welsh Ministers be minded to grant planning permission for the proposed development. That discussion was conducted in the light of Circular 16/2014 and led to the subsequent submission of a refined list that forms the basis for the schedule set out in an Annex to this report. I have refined the wording of some of the suggested conditions to align with the circular.
72. The reason for suggesting each of the conditions are also set out in the Annex. They include some minor refinements to the reasons suggested by the parties and, alongside my appraisal of the scheme, they explain why I consider each condition to be reasonable and necessary.

Obligations

73. A unilateral undertaking has been presented along with a Deed of Variation. Both have been duly completed and their combined effect is to provide several obligations: to ensure the provision of 35% of the total number of dwellings to be affordable housing; £60,000 towards the improvement of the local bus service; £60,000 to enable the extension of the existing footway on Station Road; £30,000 for the proposed widening and improvement of the existing footway on Monmouth Road; 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 local community facilities; 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; and a financial contribution of £414,168 to address capacity issues at Raglan Primary school.

74. To ensure an earlier impact that would encourage new residents to adopt the habit of using public transport, the Deed of Variation ensures that a financial contribution to the bus service would be paid sooner than provided for in the UU. The Deed also provides a formula for education provision, to replace the fixed sum identified in the submitted UU, to reflect the fact that the precise number and size of dwellings that may be receive reserved matters approval has yet to be finalised.
75. The Council has provided a paper on the need for each obligation by reference to development plan policies and SPGs. I consider that the obligations are necessary, are related to the proposed development scheme and are related in scale and kind, and therefore meet the appropriate tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 and Circular 13/97. None of the contributions would exceed the pooling limitation imposed by Regulation 123(3) of the Regulations, as amended. Accordingly, the Unilateral Undertaking, as varied, should be afforded weight in the determination of the application.

Appraisal

76. The main considerations are as follows:

- (i) the application of the transport hierarchy in relation to new development as advocated in Planning Policy Wales;
- (ii) the appropriateness of new housing on a greenfield site outside the settlement boundary, having regard to local and national planning policies;
- (iii) the effect on the character and appearance of the village and surrounding landscape;
- (iv) the effect on historic assets;
- (v) the contribution to the supply of housing within the County, including the local provision of affordable housing; and
- (vi) the overall planning balance taking into account any harm or benefit identified in relation to the foregoing considerations.

Consideration (i): Transport hierarchy

77. Raglan is a rural village that provides a relatively good range of facilities. It scores higher than all other LDP settlements, save for the Main Towns and Usk (another Rural Secondary Settlement) ⁹. It caters for the day-to-day services and facilities of most of its residents and provides some other facilities less frequently sought, such as health care and leisure. However, for many other less frequent needs, such as a weekly grocery shop or comparison goods shopping, and for visits to facilities such as the theatre or cinema, residents are likely to visit one of the larger towns in the County or further afield to Newport, Cardiff or Bristol. The same centres are likely to provide the main employment opportunities for many residents.
78. The scheme design, supplemented by financial contributions secured by the UU, seeks to encourage pedestrian trips to local facilities and services. A footway link onto Station Road would connect directly to the recently constructed primary school and an adjacent pedestrian link to the village centre via Chepstow Road. The scheme would contribute to the cost of providing a new footway along the west side of Station Road to link the school with playing fields to the south. The Council explained that whilst this scheme had recently failed to secure funding under the Safe Routes to School initiative, it was confident that negotiations with landowners were well advanced and that a route would be delivered.
79. To the north of the site the scheme makes provision for a pedestrian crossing point on Monmouth Road and to widen the existing narrow footway on the north side of the road. This would assist walkers to access the bus stop as well as linking into the village. This suite of off-site works would not only encourage future residents of the scheme to walk to facilities but would also benefit other residents.
80. The scheme, by means of one of the recommended conditions, proposes that each dwelling would have a faster broadband connection than is presently

⁹ LDP background paper- Function and Hierarchy of Settlements Study, October 2008

available in the village. I acknowledge that for certain workers, for whom such provision would be a significant benefit, this would encourage home working thereby reducing commuting journeys. This would align with the aim of the sustainable transport hierarchy which PPW explains should be used to reduce the need to travel. However, it is likely that many workers would need to travel, at least on occasions, to their place of work or to other locations.

81. The scheme would encourage use of public transport by providing good footway links and relocating the existing bus stops. It also proposes to improve the existing service by providing a £60,000 contribution. There already exists a £30,000 contribution which has been made in relation to the approved development on the 45 unit housing allocation in the village. Whilst the Council confirmed at the hearing that it was presently unclear how this sum of money would be used it is likely to facilitate earlier and later daily services and the possible change from a two hourly service to hourly. The likely impact of this change is not clear nor is the length of time to which the contribution would last. The aim is that an initial cash injection would encourage greater use which would generate sufficient additional income to become self-sustaining.
82. A local residents' survey suggests that there is presently very little use of the bus for commuting. Whilst I acknowledge the possibility of using the bus to access employment opportunities within the nearest towns, and the bus and/or train for destinations further afield such as Cardiff and Bristol, the time taken compared to car journeys and the restricted service frequency, means that the car is likely to be the preferred option for a significant proportion of prospective residents.
83. Raglan is connected via a National Cycle Route to Monmouth (7.5 miles) and Usk (5.5 miles). Active Travel Guidance identifies 10 miles as a maximum distance that cyclists would be expected to travel to work. However, whilst this would provide an alternative to motorised transport for workers in these towns, in practice, given the distance and topography of the journeys, the proportion of prospective residents that would use this option frequently is likely to be very modest. In any event the main employment opportunities would lie in more distant, larger settlements.
84. At the hearing the applicant altered its proposed approach to the provision of connection points for ULEVs such that each property would have a connection. Whilst this is not a requirement of local or national planning policy, it seems to me to be a proactive measure that would encourage residents to use such vehicles, albeit that the effect may take some time to materialise as their ULEV ownership is initially likely to reflect the relatively low rates of ownership in the general population.
85. The proposed development would be well connected to a good range of day to day facilities that residents would demand and the scheme - through its design, planning obligations and Travel Plan - makes good provision to encourage walking, cycling and the use of public transport. However, these measures do not alter the fact that the site is not as well connected to the services and employment opportunities that are provided in larger settlements. Consequently, it is likely that many prospective residents would choose to rely on the car to a significant extent. This is particularly the case given that the scheme would serve to meet a demand that arises from the south of the County. The fact that Raglan is better located than the northern half of the County to serve this area does not overcome my concerns that it is not well related in this

respect. Thus, on balance, I consider that the scheme does not perform well in relation to the transport hierarchy and therefore conflicts with PPW.

Consideration (ii): Greenfield site outside the settlement boundary

86. The main parties contend that, having regard to the scheme's compliance with the ground rules set out in the Protocol, developing this greenfield site outside the identified limits of Raglan is justified by the shortage of housing land supply within the County.
87. LDP policy S1 explains that the main focus of new housing will be in the Main Towns of Abergavenny, Chepstow and Monmouth. It identifies Raglan as one of 4 Rural Secondary Settlements to which a "small amount of new housing is directed". Policy S2 envisages that Raglan would provide 75 residential units over the Plan period. This includes identified commitments and completions (14 units), windfall opportunities (16 units) and an allocated site for 45 houses. The allocation has been granted outline planning permission, with a 35% affordable housing requirement. At the hearing it was revealed that a complex of 24 older persons flats has been demolished in recent years and the site has been recently redeveloped to provide 10 dwellings at St Cadocs Court, a 100% affordable housing scheme.
88. The Council acknowledged at the hearing that, whilst it considers that the scale of proposed development is acceptable for the village, the extent of growth proposed alongside the LDP provision exceeds the 'small amount' Policy S1 identifies. I agree and consider that the scheme conflicts with the LDP both in terms of the scale of local growth and its location outside defined development boundaries.
89. PPW prioritises the development of previously developed land over greenfield. At the hearing the Council explained the extent of brownfield land in the County was modest and that those sites that are allocated for development in the LDP are well advanced in their redevelopment. Moreover, its call for sites for the emerging LDP gave rise to very few new brownfield sites. Thus, there is no evidence to suggest that developing this site would prejudice the opportunity to develop any previously developed site that would be suitable for housing.
90. Approximately two-thirds of the site is estimated to fall within class 3a of the Agricultural Land Classification system which is the lowest quality land that constitutes the best and most versatile (BMV) agricultural land. PPW seeks to protect BMV, advising that it should only be developed if there is an overriding need for the development and suitable lower grade land or brownfield land are not available.
91. The applicant recognises the value placed on such land but points out that most of the land that is otherwise suitable for new housing around Raglan is of a higher quality. In response to a suggestion by RVAG that a potential site to the south west of the village may be of poorer quality, the Council confirmed that it considered¹⁰ that most of that land to be higher quality than the site (Class 2). It was a site that had not yet been advanced in relation to the current LDP call for candidates sites.

¹⁰ Based on the site's submission as a candidate site during the original LDP process

92. I acknowledge that there are planning constraints that limit the options for providing new housing elsewhere within the County. However, it is the local development plan process that provides the robust, transparent and inclusive system for identifying the most suitable sites in such circumstances. The justification presented for the loss of BMV in this case has focussed on the proposition that the development must take place in the vicinity of Raglan – I consider that this is a false premise given that primary justification for the scheme is the delivery of housing to meet the County’s need. Accordingly, I consider that the resultant loss of a nationally important agricultural resource is a harm that carries significant weight.
93. The Council’s Protocol seeks to facilitate the timely delivery of the scale of housing identified in the adopted LDP. However, the scale of the proposed development in relation to the host settlement and its location away from the growth centres identified in the Plan, including in terms of new employment opportunities, means that the scheme does not align well in terms of the adopted Plan’s strategy. In the circumstances, I find that the breach of the settlement boundary and the scale of the additional housing proposed, in conflict with the development plan, specifically policies S1, LC1 and S2, are weighty considerations against the scheme.

Consideration (iii): character and appearance

94. Noting the comment of the Woodland Trust, I am satisfied that the scheme has incorporated more than adequate off-sets between the proposed development and the numerous veteran trees that are located both within and on the boundary of the site. The recommended conditions and consideration of the reserved matters details would provide the means to ensure that this is the case.
95. The scheme would facilitate the improvement of the existing footpath along the north side of Monmouth Road and the provision of a new footpath link on the west side of Station Road. Evidence at the hearing confirmed that these measures are capable of being effected without harming the existing roadside hedgerows. The creation of a new access will require the loss of a short section of the hedge onto Monmouth Road. The associated visibility splays will require the loss or re-location of further sections of hedge, but this would be modest given the present hedge set back and the road alignment. The emergency access would utilise an existing farm gate.
96. The scheme has been designed in close consultation with the Council. There are generous areas of open space landscaping, and green infrastructure is an important element. The introduction of the built form into a presently open field will inevitably affect the natural landscape which is clearly valued by local residents, including those who use the public footpath that runs along its eastern boundary.
97. However, whilst the field provides a pleasant view it holds no particular landscape value and is similar in appearance to several other large undulating fields in its vicinity. I have taken into account the applicant’s Landscape and Visual Impact Assessment which has been prepared in accordance with the latest guidance on methodology¹¹ and agree with its findings that the effect on

¹¹ Guidelines for Landscape and Visual Impact Assessment, Third Edition (Landscape Institute and IEMA, 2013)

landscape character and visual amenity of extending the built form is acceptable. The project would undoubtedly alter the experience for users of the public footpath on the periphery of the site. However, as the route would form part of the green infrastructure some distance from proposed buildings it would provide a pleasant recreational path as the scheme matures. I also consider that the development's relationship with the built form to be acceptable – it would not appear discordant in relation to the relatively modern development nearby much of which would be partly screened by mature vegetation.

98. In terms of scale of development, whilst residents expressed concerns over infrastructure capacity there is no suggestion that the scheme would affect the social character or community cohesion of the village. Indeed, as supporters of the scheme suggest, the affordable housing in particular would enable young people to move back to their community adding vibrancy and a better demographic mix.
99. Subject to further consideration of detailed aspects of the scheme at a later stage, I consider that the scheme's effect on the character and appearance of the village and its surrounding landscape to be acceptable. Its design accords with the high quality sought by LDP policy DES1.

Consideration (iv): Historic assets

100. The Castle is severed from the village by the A40 dual carriageway. Given the historic relationship and proximity between the Castle and village, the latter clearly lies within the setting of the former. However, noting the specialist comments on behalf of Cadw, the Council and the applicant, I find that the scheme would not harm the significance of the Castle. The visibility of the development from the Castle would be very limited given the screening effect of several areas of vegetation, supplemented by the scheme's landscaping and the fact that the site falls away from the direction of the Castle.¹² In the context of the panoramic view that is available over the village, I consider that the extension of the built form in a direction away from the Castle would not materially alter the relationship between the Castle and the village and its surrounding countryside.
101. Within parts of the site and its vicinity glimpses of the upper parts of the Castle are presently available, aided by the presence of an area of open space between the rows of houses on the north side of Monmouth Road. Given the intervening distance¹³, the presence of tall trees, and the prominence of some of the houses the views do not provide an appreciation of the scale or prominence of the Castle. The loss of some of these restricted views would not affect the significance of the asset within its setting.
102. The Grade II* listed St Cadoc Church lies some 175m from the site. The intervening built form and significant vegetation greatly limits any inter-visibility. There would be no material impact on the significance of this asset.
103. At its closest point the designated Historic Park and Garden is estimated to be within 245m or so of the site. However, the extent to which buildings and

¹² Photoviewpoint 12 in the LVIA

¹³ The castle keep is estimated to be some 515m from the closest part of the site

significant lines of trees screen the site mean that there would be no material impact on this asset.

104. The site lies adjacent to a part of the Raglan Conservation Area which is identified as Character Area (CA) 2 in the Appraisal SPG. It lies between the Monmouth Road boundary to the application site and the A40, which forms the southern boundary to Character Area 1, the Castle & Landscape Setting. The part of CA 2 closest to the site consist of a row of fairly modern, unremarkable houses, many in landscaped grounds. To the west lies CA 3 which includes the historic core of the village centre including the Church. It clearly has a special character as the historic core of the village. CA 3 would be largely screened from the application site. The Appraisal identifies the open views across the countryside to distant hills from Monmouth Road which are described as of 'very high significance'. Neither the Appraisal nor the specialists at the hearing were able to identify any special character of the designated area that would be harmed by the development, other than the loss of farmland that forms part of the wider setting to the historic village. The harm is small but given the protective provisions of PPW and LDP policy HE1 in relation to the setting of conservation areas, I afford it modest weight.
105. The eastern extremity of the site straddles part of the boundary of one of 3 historic deer parks. The scheme has been designed to avoid building on this area which will serve as open space and will provide an opportunity to improve appreciation of the feature. A watching brief condition will provide adequate safeguard should construction works reveal any archaeological features.
106. On this matter, I consider that the scheme would cause minor harm to the setting of the Conservation Area in conflict with local and national policy. In terms of the other nearby historic assets I am satisfied that it would not harm their setting, nor the potential archaeological value of the site and that no materially harmful cumulative impact would arise.

Consideration (v): Housing supply

107. The latest draft Joint Housing Land Availability Study, over which there is no dispute, identifies a 4-year HLS. This figure was revised from 4.2 years to reflect the uncertainty of delivery of the subject application site following its call-in. This compares to 3.9 years last year, which is an improvement which the Council attributes to the effect of its Protocol.
108. The Council estimates that by the end of the life of the Plan in December 2021 there will be a shortfall in housing delivery of 504 dwellings against the target of 4,500 units. It accepts that it has been slow in bringing forward some of the LDP housing allocation sites within its ownership but confirmed now that all those sites were being progressed. It further confirmed that all allocated sites were now being progressed, with the exception of a part of one allocated site. The identified shortfall reflects that some of those sites will not be completed within 5 years. RVAG argues that the future availability of these sites mean that 'they will become available' thus meeting the requirement of paragraph 4.2.15 of PPW.
109. The Council confirms that the area of greatest shortfall in housing delivery is in Chepstow and Severnside in the south of the County, which are identified as key parts of the LDP's settlement hierarchy. The options for releasing more land in this area is limited by the extent of green wedge designation and flooding constraints. It suggests that the limited pre-application enquiries and LDP

candidate site submissions it has received is evidence that there few options available in this area to meet the demand. The growth options around Monmouth is also presently constrained, in that case by sewerage capacity.

110. At the hearing the applicant confirmed that, based on its extensive experience in promoting the development of housing sites, that the proposed scheme could be realised within 2 years of the grant of permission. It had carried out extensive marketing which has resulted in significant interest from a range of house builders and was confident that the scheme, having regard to the requirements of the UU and the suggested planning conditions, was an economically viable proposal. Moreover, it was confident that the need for further survey work in connection with protecting the ecological interest of the site could be accommodated within this timetable.
111. Having regard to one of the stated objectives of the Protocol, and specifically ground rule 8, the main parties agreed a condition that would ensure that both open market and affordable housing contain a mix of house types that would meet the greatest need as identified in the Local Housing Market Assessment.
112. In light of the disapplication of paragraph 6.2 of TAN1, but mindful that PPW requires local planning authorities to provide a 5 year HLS and the emphasis placed in PPW on ensuring an adequate supply of deliverable housing sites, I attach significant weight to the present extent of under-supply of housing in the County. However, that weight is reduced by the likelihood that the shortfall in supply will be addressed through the emergence of the replacement LDP with adoption in the next 2.5 years or so.
113. The Council points to the problems of affordability that rising house prices in the County is causing its residents, which has been exacerbated by increasing demand following the abolition of bridge tolls over the Severn. It also identifies the particular demand for affordable housing in the Raglan ward.
114. The delivery of affordable housing against the LDP target of 960 has been high with only a further 38 units required before the end of the LDP life span. I am mindful that this figure is not a measure of the need for such housing or intended as an upper limit on supply. However, it is a target that was identified as deliverable by the planning system over the LDP period. The Council points out that the application site will not provide all its 39 units within the LDP lifetime.
115. National policy identifies the importance that the Welsh Government attaches to the role of the planning system in increasing the supply of affordable housing as part of its ambition to secure an additional 20,000 homes by 2021. The potential of the scheme to contribute 39 affordable housing units to meet the pressing local need identified is a significant benefit.
116. Citing the latest (2014) Welsh Government household formation projection rates, local residents suggest that the Council's need for housing is inflated. However, this is a matter for consideration at the examination into the emerging LDP having regard to whether a trend-based projection is appropriate, particularly having regard to any policy-based aspiration for growth.

Other Considerations

117. The applicant has taken on board advice from Natural Resources Wales (NRW) and the Council's Ecologist such that they offer no objections subject to the

imposition of conditions. Noting the local presence of protected species, dormice and great crested newts, NRW has confirmed that it does 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. The applicant acknowledges the need to secure a European Protected Species licence before undertaking work that may affect dormice. Thus, I am satisfied that, provided the relevant recommended conditions are imposed, the scheme would not unacceptably affect any ecological interest. Indeed, in the longer term, there is potential to improve biodiversity through the additional landscaping proposed and future maintenance of the green infrastructure.

118. The scheme is estimated to give rise to an additional 24 primary school age pupils. Local residents are concerned that this increased demand for places would displace pupils that presently attend the school from more peripheral parts of the catchment area. The school is presently only some 6 places short of its capacity and there are other housing developments in the village that have already been approved. The Council accepts the applicant's evidence that demographic trends of the existing population suggest there would be 20% fewer pupils at the school by 2027/28. Notwithstanding this, the scheme proposes a financial contribution that would be dependent on the number and mix of houses to be provided, in line with a formula set out in its interim SPG, that would allow the Education Authority to increase the school capacity.
119. Some local residents express concern over highway safety, specifically the easternmost junction onto the A40 from the village which has a central refuge for vehicles crossing from, or joining, the east bound carriageway. Technical reports have been presented by the applicant and have been found to be acceptable by the local Highway Authority and Welsh Government Network Management Division. The latter's response was informed by an independent safety audit which it commissioned. Whilst I note the experience of some local residents, I find no compelling reason not to accept the technical evidence and advice presented. There is some concern that increased traffic along High Street would cause congestion that, in turn, would lead to the introduction of on-street parking restrictions. Even if this were the case, given the convenience of a public car park off Chepstow Road, there is no persuasive evidence to suggest that the commercial vibrancy of the centre would be undermined.
120. Concerns over localised flooding relates to the operation of a culvert on the site boundary. As it has the potential to affect a few houses in the south western corner of the site a condition is recommended to remove the risk. I consider that the concern of some objectors that approving the scheme would set a precedent for house building on adjacent fields to be unfounded, not least given the such a scheme would be specifically contrary to ground rule 7 of the Council's Protocol. Concern over a possible restrictive covenant, which the applicant is confident is not an impediment, is a private interest matter outside the scope of the planning system.

Planning Balance and Overall Conclusion

121. The scheme proposes to provide a mix of housing that responds to local demand and would boost the County's supply of housing which falls short of 5 years. However, the degree of shortfall, at one year, and the prospect of securing an increased supply through the emerging replacement LDP in a reasonably short timescale, mean that I afford this consideration moderate weight. I attach

significant weight to the additional affordable housing that would arise in the light of the identified demand and the Government's emphasis on increasing provision. Nonetheless, as the County has performed well in the delivery of affordable housing against the LDP target and the scheme proposes no higher a provision that would be sought on allocated sites, this is not a consideration that justifies departing from the development plan approach to siting new housing.

122. The economic benefits of the scheme, most notably during the construction period but also in future residents' local expenditure which may help sustain local services are factors that together attract appreciable weight. In reaching this finding I am mindful of the social and well-being benefits that would arise. The timely realisation of these benefits in meeting present needs responds well to an aspect of sustainable development. I also attach modest weight to the indirect benefits to the wider community that would arise from proposed off-site works and contributions, for instance improvements to footway provision, play space and bus services.
123. I afford significant weight to the loss of greenfield land given that it is classed as best and most versatile agricultural land. For the reasons I have already set out I consider that the other site-specific harms that have been identified by objectors – including the effect on the setting of the Conservation Area and the Castle, and the landscape impact - are minor and taken together do not attract more than modest weight in the overall balance.
124. In addition to these adverse impacts I find that the scheme conflicts with the LDP strategy for the distribution of housing growth. The site is some distance from the identified areas of both highest demand for housing and the greatest opportunities for employment. In relation to the resultant journeys, and despite improvements facilitated by the scheme, I consider that take up of public transport services will be relatively low because of the convenience and time saving offered by the car in this case. In short, Raglan is not a settlement that performs sufficiently well in relation to the Transport Hierarchy nor the LDP strategy to justify the scale of growth proposed. This is a consideration to which I afford considerable weight, particularly recognising the environmental dimension to the Well Being of Future Generations (Wales) Act 2015 (WBFG Act) and the importance of promoting sustainable development.
125. The scheme's conflict with the development plan does not align with the emphasis on placemaking as set out in PPW. It identifies sustainable placemaking as an inclusive process, involving all those with an interest in the environment, which focuses on developing plans and making decisions that contribute to sustainable places. In proposing housing growth in a location distant from identified employment opportunities, the scheme lacks the holistic approach advocated in PPW which seeks the right development in the right place to achieve sustainable placemaking outcomes.
126. Overall the present need for housing that has been identified, when taking into account the measures that are in hand in terms of replacing the LDP, does not justify permitting the proposed scale of development on the edge of this rural village. In reaching this conclusion I am mindful of the primacy of the development plan in decision making, not least given the degree of certainty, transparency and engagement that this provides to all stakeholders, including local communities.

127. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the WCFG Act. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objectives of supporting safe, cohesive and resilient communities and to connect communities through sustainable and resilient infrastructure.

Recommendation

128. For the reasons given above, and having had regard to all other matters raised, I recommend that the application is refused. However, should the Minister be minded to grant permission, it is recommended that the conditions set out in the Schedule below are imposed.

Hywel Wyn Jones

INSPECTOR

Schedule of Conditions

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To comply with Section 92 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) (a) Any application for approval of the reserved matters shall be made to the local planning authority not later than one year from the date of this permission.

(b) The development shall begin 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: To comply with Section 92 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 and to ensure timely delivery of the housing units in accord with the ground rules set out in "Addressing our lack of 5 year land supply: Monmouthshire's Approach to Unallocated Sites".

- 3) The development shall be carried out in accordance with the list of approved plans and documents set out in the table below:

Plan/Document Reference Number:	Version:
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Proposed Site Access Layout - 001	
Proposed Site Access Layout Swept Path Analysis - 002	
Application Masterplan AI07	G
Application Boundary Plan - 01	
Great Crested Newt Mitigation Strategy, by Tyler Grange LLP	(Report Ref: 11094_R08b_DJM_LP, dated 25th October 2018)
Dormouse Mitigation Strategy, by Tyler Grange LLP	(Report Ref: 11094_R09c_IS_MM, dated 25th October 2018)

Reason: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

- 4) The details submitted pursuant to the Reserved Matter for landscaping shall accord with 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.

Reason: To maintain and enhance Green Infrastructure Assets in accordance with LDP policies, DES1, S13, GI1, EP1 and SD4.

- 5) 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 be caused 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 only in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

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.

- 6) Pursuant to the submission of Reserved Matter for landscaping, a Green Infrastructure Management Plan, having regard to the Green Infrastructure

Masterplan Drawing Number 11094/P14a, dated October 2018, 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 eg 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.

- 7) 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 in accordance with Paragraph 6.1.27 of Planning Policy Wales (Edition 10, 2018).

- 8) No development shall commence until detailed design, technical 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 prior to first occupation of any dwelling and retained as such in perpetuity.

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

- 9) 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 and to ensure compliance with Policies EP1 and MV1 of the Local Development Plan

- 10) 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.

- 11) Prior to the removal or maintenance of the dead ash tree (T01 - drawing ref. 11094/P03) a method statement for its safe removal shall be submitted to the Local Planning Authority 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.

- 12) Prior to the commencement of development, a strategy for carrying out bird monitoring surveys shall be submitted to and approved by the Local Planning

Authority and implemented in full to assess the continued use of the site by breeding birds.

Reason: To safeguard nesting bird species protected by Schedule 1 of the Wildlife and Countryside Act, 1981, as amended and Policy NE1 of the Local Development Plan.

- 13) 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.

Reason: To safeguard habitats and species protected under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), Environment (Wales) Act 2016 and Policy NE1 of the Local Development Plan.

- 14) 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 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 in accord with Policy SD4 of the Local Development Plan.

- 15) Prior to the commencement of development, a scheme for the provision of electric vehicle charging points for all dwellings on the site shall be submitted to and agreed in writing by the Local Authority. Each charging point shall be

provided in accordance with the approved scheme and made available prior to the occupation of each dwelling as appropriate.

Reason: To encourage the use of Ultra Low Emission Vehicles in support of Planning Policy Wales 10 paragraph 4.1.16 which adds electric vehicles to the sustainable transport hierarchy.

- 16) Prior to the commencement of development, a scheme for the provision of pure end-to-end fibre broadband shall be submitted to and approved in writing by the Local Planning Authority. The enhanced broadband provision as approved shall be implemented prior to first occupation of the associated dwelling.

Reason: To improve digital connectivity and help to improve the ability of future residents to work from home and therefore reduce the need to travel in accordance with Section 5.2 of Planning Policy Wales (Edition 10, 2018).

- 17) Pursuant to the submission of Reserved Matters for layout and external appearance, details of the mix of housing (including both market and affordable housing) shall be submitted to the Local Planning Authority. The proposed housing mix shall reflect the evidence contained in the Local Housing Market Assessment (September 2018), Monmouthshire's Hometrack database and CACI data on average household incomes for the Raglan Output Area. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the size and mix of the proposed dwellings are suitable for the location and address the identified demographic challenges, in accord with the ground rules set out in "Addressing our lack of 5 year land supply: Monmouthshire's Approach to Unallocated Sites".

- 18) The development shall be implemented and monitored in accordance with the details in the Travel Plan Rev A, prepared by Hub Transport Planning Ltd (dated 15.02.19) at the time of first occupation of the development and shall be retained and operated in perpetuity.

Reason: To promote the use of modes of transport, other than use of private motor vehicles, in pursuance of Policy MV1 of the Local Development Plan and Section 4.1 of Planning Policy Wales (Edition 10, 2018).

- 19) No development shall commence until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To prevent the increased risk of flooding, having regard to Policy SD3 of Local Development Plan.

- 20) Prior to the commencement of the development a noise mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority to confirm, given the current proposed layout of properties, the mitigation

measures that will be implemented at those properties, that have been established by the Noise assessment conducted by M-EC, where the daytime internal sound levels of 35 dB(A) will be exceeded.

Reason: To ensure compliance with Policy EP1 of the Local Development Plan as well as BS 8233:2014 and WHO Guidelines for internal sound levels.

APPEARANCES

FOR THE APPLICANT:

Miss Morag Ellis QC	Francis Taylor Building
Mr Gareth Barton BSc DipTP MRTPI	Turley (Planning)
Mr Gerard McKinney BA (Hons) MSc MCILT	Hub Transport Planning
Ms Lianne Brook BSc (Hons)	Hub Transport Planning
Ms Gail Stoten BA MCIfA FSA	Pegasus (Heritage)
Mr Nick Banks MSc	Regional Director, Richborough Estates
Mr James Carpenter BA (Hons) MSc MRTPI	Planning Director, Richborough Estates
Mr Jonathan Berry CMLI AIEMA MArborA	Tyler Grange (Landscape Architecture)
Mr Steven Clyne LCP DipSMS CertEd MAE	EFM (Education Advisor)

FOR THE LOCAL PLANNING AUTHORITY:

Mr Mark Hand BSc Hons MSc PG Cert MRTPI	Planning Control Lead
Mr Andrew Jones BA MSc	Development Management Area Manager
Ms Amy Longford BSc MSc PG Dip IHBC	Heritage Manager
Mr Mark Davies HNC Civ Eng	Highway Development Manager
Mr Christian Schmidt BSc MSc CMILT	Transport Planning and Policy Officer

INTERESTED PARTIES:

Mr George Ashworth BA(Hons) MSc (MRTPI Ret'd)	Raglan Village Action Group (Planning)
Mr Peter Woodrow MICE MIGHT	Raglan Village Action Group (Transport)
Dr Sian Rees PhD CBE	Raglan Village Action Group (Heritage)
Ms Helen Ronchetti	Secretary to Raglan Village Action Group
Ms Karen Tarbox	Director of Property Services, Monmouthshire Housing Association
Ms Margaret Langley	Local resident

Documents

- 1 Consultation and notification replies
- 2 Extracts from Local Development Plan
- 3 LDP Function and Hierarchy of Settlements Study, Oct 2008
- 4 Aerial image showing candidate site to south west Raglan
- 5 Final version of suggested conditions
- 6 Section 106 unilateral undertaking and associated Deed of Variation