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Rhif y Cais/Application Number DM/2025/00133

4 April 2025

Annwyl Syr/Madam
Dear Sir/Madam,

Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 – Pre-Application Scoping Opinion.

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|---|---|
| Disgrifiad o'r Cynnig/Description Of Proposal: | EIA Scoping Request - outline planning application for a proposed mix-use residential led development. |
| Lleoliad/Location: | Land At Mounon Road Chepstow NP16 6AA |

SCOPING OPINION

I refer to your letter received on 3 February 2025 and accompanying plans, requesting a scoping opinion for the development proposed at the above site.

The information documents and plans reviewed are:-

Application form
EIA Scoping Request - Outline Planning
BL-M-11 D Concept Plan
BL-M-17 Site Location Plan
Covering Email

Scoping request

The EIA scoping request in compliance with the Town and Country planning (Environmental Impact Assessment) (Wales) regulations 2017 relates to proposed mix-use residential led development.

The development falls within schedule 2 of the 2017 regulations where Part 10(b) relates to Urban Development Projects of more than 150 dwellings (ii) and / or where the overall area of the site exceeds 5 hectares (iii).

Part 4 regulation 17 (3) of the Town and Country planning (Environmental Impact Assessment) (Wales) regulations 2017 highlights that an authority receiving a request under paragraph (1) must, if they feel they have not been provided with sufficient information to adopt a screening opinion, notify the person who made the request of the points on which they require additional information.

The scoping exercise carried out by the Local Planning Authority has established that the following information would be needed.

MCC Landscape comments:

With regards to Landscape and GI the scoping opinion the EIA Scoping Request - Outline Planning has sought to provide:-

- o a description of the site nature and purpose of the development including its location and technical capacity;
- o a plan to identify the land; its likely significance effects on the environment and
- o other information regarding the proposed development and its environmental effects.

The scoping request has outlined the technical ES chapters proposed to be scoped within the EIA including (1) Landscape and Visual; (2) Ecology and (3) Built heritage. This is acceptable.

However an ES should also consider that GI integrates with different disciplines whose functions and consequences can have a cumulative impact such as with:-

- o highways and transportation in terms of both technical space requirements and accompanying illumination and their cumulative impacts.
- o flood risk and drainage in terms of landform change to accommodate technical drainage solutions.
- o climate change in terms of the potential impacts on existing GI infrastructure in the medium to long term e.g. mature trees in parkland and boundaries. Schedule 4 (5) f highlight that the likely significant effects of climate change should be included within an ES. Visual intervisibility relying on intervening vegetation that may be impacted by climate change in the future should be assessed and mitigated for.

If not dealt within the separate characters they should be included within Landscape and Visual / Ecology.

The assessment of each topic methodology is acceptable however, the methodology should also be informed by PPW12 chapter 6 step wise approach and include a description or reasonable alternatives as indicated in the EIA regs Schedule 4 (2) as part of a sequential test. It is suggested that this should be included in section (b) Description of the Site and Development Proposals and should explain the reasonable alternative locations and layout considered.

In addition, a response to EIA regs Schedule 4 (4) to describe the implications on the site of no development natural changes from the baseline scenario can be assessed. This should be included in section (b) Description of the Site and Development Proposals.

In terms of the summary of (d) Landscape and visual. The LVIA February 2024 ref:- edp6238_r005a provided an visual and landscape character impact assessment of the development proposals. It is considered that additional survey information is required to inform the development proposals and should be included within the ES.

- o The cumulative impact of additional lighting, light spill and light glow should be a consideration within the LVIA and subsequent ES in terms of cumulative impact. The site is in a topographically elevated location on edge of settlement on a rolling elevated ridge facing to the west of Chepstow and Monmouthshire's wider landscape. New street lighting, higher storey commercial unit lighting (hotel / care home) as well as residential development and vehicle movement will increase light activity and spill into the landscape. The site is currently within the Chepstow, Pwllmeyric and Mathern Green Wedge which seeks to ensure there is no creeping coalescence of settlements and is near to Mathern Conservation Area to the south and Mounon Conservation Area / Wye Valley National Landscape to the west where consideration of maintaining dark skies as part of landscape character and setting may be pertinent.
- o An environmental colour assessment will need to be undertaken to assess baseline to inform the ES to ensure that appropriate diversity of material colours for built form, infrastructure and lighting are considered at design stage. To ensure landscape character is respected and enhanced and there are no adverse impacts caused through inappropriate block of material colour.

Additional comments

- o The localised topography of the site will require development orientation to take advantage of solar gain and landform change to enable development on gradient. The ES should also consider within the landscape and visual chapter:
- o The cumulative visual impact of building expanses of a uniform colour on localised receptors e.g. large areas of light render
- o The cumulative potential impacts of roof mounted solar panels in term of glint and glare on the assumption that new development will include high benefit climate resilient design as indicated in the June 2023 vision document.

NRW comments:

The proposals are likely to give rise to significant effects. We agree with the ES chapters to be scoped into the EIA for this development and provide the following advice in relation to Ecology and Landscape chapters.

o Description of the Project

Within the EIA, the proposed scheme should be described in detail in its entirety. This description should cover construction, operation and decommissioning phases as appropriate and include detailed, scaled maps and drawings.

We would expect the description to include:

- o The purpose and physical characteristics of the proposal
- o Location, development size and configuration of the development including flexibility of the site layout
- o Procedures for good working practices
- o Identification of appropriate pollution contingency and emergency measures for watercourses on site
- o Timing of all works and contingency plans, should slippage in the programme occur
- o Maintenance requirements of structures
- o Arrangements for maintenance and management of any habitats within the site
- o Artificial lighting requirements, including likely intensity and location of light spill on green infrastructure.

o Illustrations within the Environmental Statement

Any maps, drawings and illustrations that are produced to describe the project should be designed in such a way that they can be overlaid with drawings and illustrations produced for other sections of the ES such as biodiversity.

1.0 Ecology Chapter

1.1 Designated Sites

We note that under section (e) Ecology of the Request for Scoping there is no reference to the potential impacts the development may have on the qualifying features of the Severn Estuary Special Protection Area (SPA). The potential impact pathways to this SPA include noise and visual disturbance through increased foot traffic in the area and displacement through removal of potential habitat. The potential impacts on the Severn Estuary SPA should be considered in the ES.

We note the comments made in appendix II pages 5 and 6 table in relation to the impact pathways on the features of the Severn SPA and agree with the conclusion that a Habitats Regulations Assessment would be appropriate. However, there is no reference to the potential impact through reduced habitat and we advise that this is considered in the ES as overwintering birds may utilise the fields for shelter or loafing during the winter months.

We welcome that the Scoping Request states that a Construction Environmental Management will be produced to mitigate potential impacts on the designated sites.

1.2 Protected Species

The ES for this proposed development should include sufficient information to enable the decision maker to determine the extent of any environmental impacts arising from the proposed scheme

on legally protected species, including those which may also comprise notified features of designated sites affected by the proposals.

Evaluation of the impacts of the scheme should include direct and indirect; cumulative; short, medium and long term; permanent and temporary; positive and negative; construction, operational and decommissioning/post operational phases and impacts on long-term site security of the nature conservation resource.

o Description of Biodiversity

The ES must include a description of all the existing natural resources and wildlife interests within and in the vicinity of the proposed development, together with a detailed assessment of the likely impacts and significance of those impacts.

o Key Habitats

Any habitat surveys should accord with the NCC Phase 1 survey guidelines (NCC (1990) Handbook for Phase 1 habitat survey. NCC, Peterborough). We advise that Phase 1 surveys are undertaken and completed during the summer to ensure the best chance of identifying the habitats present.

o Surveys

We advise that the site and where necessary land adjacent to the site is subject to assessment to determine the likelihood of protected species being present and affected by the proposals.

Targeted species surveys should be undertaken for all species scoped in which:

- i. are undertaken by qualified, experienced and where necessary, licensed ecologist(s) and,
- ii. comply with current best practice guidelines. In the event that the surveys deviate from published guidance, or there are good reasons for deviation, full justification for this should be included within the ES.

The above letter mentions a further update desk study and Extended Phase I Habitat Survey during 2024; however, the results of these surveys appear not to be available.

We are aware that the Preliminary Ecological Appraisal (PEA) report, dated August 2021, submitted as part of the candidate site information for the Monmouthshire Replacement Local Development Plan (RLDP) confirmed dormouse presence on site. We advise that the results of all surveys undertaken to date are included in ES, as well as proposals for dormouse habitat retention, mitigation and compensation.

The PEA report includes a recommendation for detailed aerial inspection to confirm presence/likely absence of roosting bats in any trees with moderate or high potential to support roosting bats, plus further ground level assessment of all trees within the working footprint when a fixed masterplan for the proposals has been established. We welcome this recommendation and advise that up-to-date bat tree survey information, along with any mitigation proposals as necessary, are included in the ES.

We are aware that commuting and foraging bats were recorded on site in 2012 and July 2013 including common pipistrelle, soprano pipistrelle, possible Nathusius' pipistrelle, noctule, serotine, Myotis sp., lesser horseshoe and greater horseshoe bats. We are also aware that the PEA report recommends update survey effort comprising manual transect and automated bat detector surveys to inform any future planning submission which we advise is included in the ES.

All surveys for bats should be carried out in accordance with 'Bat Surveys for Professional Ecologists - Good Practice Guidelines' (4th edition), published by the Bat Conservation Trust, 2023.

We note that otters, great crested newts and water voles are scoped out of further surveys and are presumed to be absent from the site. We are content with this approach in this instance.

o Impact Assessment

Should protected species be confirmed, information must be provided identifying the species-specific impacts in the short, medium, and long term together with any mitigation and compensation measures proposed to offset the impacts identified.

We advise comprehensive descriptions of the habitats affected are included to support robust conclusions about their significance for the species.

We advise that ES considers significance (both alone and in combination) and where applicable conservation status. In respect of conservation status, we advise consideration be given to the current conservation status of the relevant species. The ES must demonstrate that there will be no detriment to maintenance of favourable conservation status (FCS) of the species during construction, operation and where relevant decommissioning phases of the scheme.

Where proposals implicate protected species, which are also notified features of designated sites (e.g. SAC, SSSI), we advise that the ES considers the impacts on those species from both perspectives.

We advise that the ES sets out how the long-term site security of any mitigation or compensation will be assured, including management and monitoring information and long term financial and management responsibility. Where the potential for significant impacts on protected species is identified, we advocate that a Conservation Plan is prepared for the relevant species and included as an Annex to the ES.

1.3 European Protected Species Licence

Where a European Protected Species is identified and the development proposal will contravene the legal protection they are afforded, a licence should be sought from NRW. The ES must include consideration of the requirements for a licence and set out how the works will satisfy the three requirements as set out in the Conservation of Habitats and Species Regulations 2017 (as amended).

Where a European Protected Species is present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

- (a) It satisfies an appropriate derogation or licencing purposes, which in the case of development is most likely to be preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment;
- (b) There is no satisfactory alternative and
- (c) The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

These requirements are also translated into planning policy through Planning Policy Wales (PPW) February 2021, section 6.4.22 and 6.4.23 and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). The local planning authority will take them into account when considering the EIA where a European Protected Species is present.

1.4 Local Biodiversity Interests

We recommend that the developer consults the local authority Ecologist on the scope of the work to ensure that regional and local biodiversity issues are adequately considered, particularly those habitats and species listed in the relevant Local Biodiversity Action Plan and those that are considered important for the conservation of biological diversity in Wales.

We would expect the developer to contact other relevant people/ organisations for biological information/ records relevant to the site and its surrounds. These include the relevant Local Records Centre and any local ecological interest groups (e.g. bat groups, mammal groups).

Finally, we advise that the development incorporates robust green infrastructure that will remain unlit to allow protected species to continue to inhabit the site and move through it. It is vital that

the design of the development avoids narrow green infrastructure corridors through it and avoids breaks in those corridors.

2.0 Landscape and Visual Impact Chapter

Our advice relates to the landscape character and visual amenity of the Wye Valley National Landscape (WVNL), which is the name for the legally designated Area of Outstanding Natural Beauty (AONB).

At its closest point, the proposed development site is located 185m from the WVNL. Planning authorities have a statutory duty to have regard to the purpose of the National Landscape - which is to conserve and enhance its natural beauty - and this duty applies in relation to all activities affecting it, whether those activities lie within, or in the setting of, the designated area.

The 'Scoping Request states an assessment of landscape and visual effects will form part of the ES. The Scoping Request includes a section on landscape and visual effects which is a summary of a 'baseline assessment' carried out by the Environmental Dimension Partnership.

Within LANDMAP, the site is located within the Chepstow Woods Visual and Sensory Aspect Area (MNMTHVS044). This area includes the countryside west of Chepstow and at least one third of it is overlaid by the National Landscape. This Aspect Area has a 'High' Visual and Sensory evaluation in part due to the high and consistent quality and condition of the landscape, which is unified by a strongly wooded character and rolling hilltops. We note the Scoping Request omits reference to the High Visual and Sensory evaluation, and whilst this is only one aspect of landscape value, we query the conclusion of the Scoping Request, which states the site is of medium landscape value, and its 'wider context' which includes the WVNL is 'judged to be of poor form, which equates to a low value'. We note other LANDMAP Aspects (Historic and Geological) are also evaluated as 'High'. Further explanation of the value of the site and its context should be provided within the ES. This should be prepared with reference to LI Technical Guidance Note 02/21: Assessing Landscape Value Outside National Designations.

The Scoping Request states a Zone of Theoretical Visibility (ZTV) analysis and 13 viewpoints have been agreed with the Council's Landscape Officer however, these have not been submitted as part of the Scoping Request. There is also no written explanation of where the viewpoints are proposed to be located, nor the proposed extent of the assessment study area. The Scoping Request states that receptors within the National Landscape 'have limited intervisibility with the site'. It is not clear what this means, and without the ZTV or viewpoints we cannot comment on the likely extent of visibility within the designation, the appropriateness of the proposed viewpoints, the extent to which impacts on the designation may or may not occur, nor whether mitigation including through development layout or density may be necessary. This information should be provided within the ES, and if potential visibility is projected within the WVNL, corresponding viewpoint(s) should be provided, either to inform an assessment of impacts on the WVNL, or to illustrate why there would be no impact on the designation.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

MCC Trees comments:

Concerns have been identified. The area consists of an open meadow with a group of mixed broad leaf trees which are covered by a TPO on the south west boundary along St Lawrence Way(MCC:243/W2). There are also 2 Aesculus hippocastanum (Horse Chestnut) indicated to be protected (MCC 243/G2) but I am not sure if these are still present. I will need a site visit to confirm this.

The remainder of the site has a mix of *Corylus avellana* (Hazel) and *Crataegus monogyna* (hawthorn) which seem to be the remains of an old hedge line. These are low value trees and the loss should be mitigated by any planting scheme.

A full tree report will be required to highlight the impact of the RPZ of any protected trees.

Near the north eastern boundary is an *Aesculus hippocastanum* (horse chestnut) which is also protected (MCC:243/T3). This is in an area which is highlighted as 'proposed care home'. Clarification of the impact on the RPZ would be required.

CADW comments:

Cadw does not consider that the effect, on the historic environment as a whole, will be significant enough to warrant an EIA.

o Assessment

Our records show that the following historic assets are potentially affected by the proposal.

Scheduled Ancient Monuments:

MM002 Chepstow Town Wall and Gate
MM003 Chepstow Castle
MM020 Pierce Wood Camps
MM093 Bulwarks Prehistoric Enclosure
MM095 Runston Medieval Village Site & Runston Chapel
MM139 Bishop Barnet's Wood Camp
MM160 St Peter's Cave
MM187 Moated Site South of Moynes Court
MM206 Long Barrow and Round Barrow at Thornwell Farm
MM282 The Giant's Cave, Piercefield
MM283 The Grotto, Piercefield
MM284 The Platform, Piercefield
MM285 The Alcove, Piercefield
MM301 Chepstow Town Slipway

Registered Historic Parks and Gardens:

PGW(Gt)8(MON) Mownton House
PGW(Gt)21(MON) Itton Court
PGW(Gt)29(MON) St. Pierre Park
PGW(Gt)34(MON) Moynes Court, Mathern
PGW(Gt)35(MON) Mathern Palace
PGW(Gt)40(MON) Piercefield and the Wyndcliff
PGW(Gt)51(MON) Wyelands

Registered Historic Landscapes:

HLW (Gt) 2 Gwent Levels
HLW (Gt) 3 The Lower Wye Valley

Listed Buildings:

See Annex A

This request is for a scoping opinion as to the contents of an Environmental Impact Assessment (EIA) that will be submitted in support of an application for a mixed-use development on land at Mownton Road, Chepstow.

The letter from Carney Sweeney accompanying the request for a scoping opinion provides information that a stage 1 assessment, following the methodology given in the Welsh Government document "The Setting of Historic Assets in Wales", has considered the impact of the proposed development on the settings of the designated historic assets and concluded that the only historic asset that requires a more detailed assessment is listed building 2606 St.

Lawrence House. We concur that this is the only designated historic asset where the impact of the proposed development on its setting requires further assessment.

The letter also proposes to "scope out" Archaeology from the EIA as previous assessments of the site carried out by EDP, including geophysics, have provided sufficient information to conclude that the proposed development will not have a significant impact on the archaeological resource. We concur with that conclusion.

The Wye Valley National Landscape (WVNL) comments:

The WVNL Team agrees with the concerns raised by NRW in their response regarding the absence of sufficient information on landscape and visual effects. Consequently, the highlighted items should be addressed within the ES to allow for thorough consideration.

MCC Policy comments:

The site is within an existing green wedge, the purpose of which is to prevent the coalescence of settlements. As part of the RLDP review we have undertaken a review which indicates the site has moderate contribution to green wedge - see CPM10 P92 on link to review below - I just wanted to highlight this review, as I thought the assessment might be helpful.

<https://www.monmouthshire.gov.uk/app/uploads/2024/10/Green-Wedge-Assessments-LUC-2024.pdf>

MCC Public Rights of Ways comments:

There is a public right of way that abuts the north west corner of the site. The road to the north of the site is part of National Cycle Route 4, and the roads around the proposed sites are used by cyclists. The proposed development could provide safe walking and cycling routes through the site to enhance the rights of way network.

MCC SuDS Approving Body (SAB) comments:

The proposed scheme will require a sustainable drainage system designed in accordance with the Welsh Government Standards for Sustainable Drainage. The scheme will require approval by the SuDS Approving Body (SAB) prior to any construction work commencing.

The requirement to obtain sab consent sits outside of the planning process but is enforceable in a similar manner to planning law. It is a requirement to obtain sab consent in addition to planning consent. Failure to incorporate compliant SuDS design early on may lead to significant and unnecessary redesign costs. Therefore, you are advised to contact the SAB as soon as possible to discuss the site drainage method.

MCC Highways comments:

In terms of highway and transport considerations, this site has been subject to extensive review over a significant period. Throughout previous planning applications and the subsequent Revised Local Development Plan, the highway authority has maintained a consistent requirement for the submission of a comprehensive and robust transport assessment in support of any planning application.

Other Consultees:

The following consultees were also contacted in relation to this Scoping Request exercise but have not provided a response to date. Should their comments be received after this response, I will ensure they are forwarded to you.

MCC Active Travel
MCC Environmental Health
MCC Heritage Management
MCC Biodiversity and Ecology

Please note that the Environmental Statement should also cover the construction phase of the development.

The above constitutes the LPA's scoping opinion but does not preclude the fact that additional information may be requested or added to the Environmental Statement in connection with the planning application as outlined in paragraph 13(9) of the regulations.

Yr eiddoch yn gywir/Yours faithfully,

Mr David Wong

Tim Rheoli Datblygu/Development Management Team