

**DM/2018/00880**

**OUTLINE APPLICATION (WITH ALL MATTERS OTHER THAN ACCESS RESERVED FOR FUTURE DETERMINATION) FOR THE ERECTION OF UP TO 130 DWELLINGS (USE CLASS C3), PROVISION OF NEW OPEN SPACE INCLUDING A NEW COMMUNITY PARK AND OTHER AMENITY SPACE, ENGINEERING AND LANDSCAPING WORKS INCLUDING SUSTAINABLE URBAN DRAINAGE SYSTEM AND ENABLING WORKS.**

**LAND TO EAST OF CHURCH ROAD, CALDICOT, MONMOUTHSHIRE**

**HARVINGTON PROPERTIES LTD**

**RECOMMENDATION: APPROVE**

Case Officer: Kate Young

Date Registered: 29/05/2018

## **1.0 APPLICATION DETAILS**

1.1 This is an outline application with all matters reserved except for access. It seeks permission for up to 130 dwellings, 35% of which would be affordable. The application site includes a community park in the northern part of the site, other amenity open space and significant woodland areas. The main vehicular access would be from the existing residential area through Heol Sirhowy with smaller access from Clos Ystwyth. Provision could be made at some future date for a second main access into the south of the site from Heol Teifi. The site measures 10.09 ha and consists of four fields immediately to the north east of the new housing development off Church Road. The site is outside the Town Development Boundary and consequently has been advertised as a departure to the Development Plan. The land generally slopes downwards from west to east and the site is adjacent to the Nedern Brook Wetland which is designated as a SSSI for its importance for over wintering and wading birds. To the south of the site is the Caldicot Country Park A public right of way dissects the northern part of the site. There are several mature hedges crossing the site and the eastern boundary is formed by a wide woodland belt. The northern part of the site is a Mineral Safeguarding area for Limestone. The agricultural land classification is made up of Grade 1 and 3 agricultural land.

1.2 The application is accompanied by the following supporting documents

- Site Location plan
- Illustrative master plan
- Building's Heights parameter Plan
- Land Use parameters Plan
- Land Budget Plan
- Design and Access Statement
- Landscape and Visual Appraisal
- Archaeological Assessment
- Arboricultural Impact Assessment
- Ecological Assessment
- Planning Statement
- Pre-application Consultation Report
- Transport Statement
- Framework Travel Plan

Flood Consequences Assessment and Drainage Strategy Soil and Agricultural Quality of Land east of Caldicot  
Travel Audit  
Additional Transport Information.

1.3 In December 2017 a formal screening request was submitted and MCC determined that an Environmental Impact Assessment (EIA) was not required. The developers held a public exhibition in February 2018 and a Pre-Application Consultation Report has been submitted as part of the application which includes a summary of the consultation responses received.

## **2.0 RELEVANT PLANNING HISTORY**

No other applications have been received on this site.

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

Strategic Policies

- S1 LDP The Spatial Distribution of New Housing Provision
- S2 LDP Housing Provision
- S4 LDP Affordable Housing Provision
- S5 LDP Community and Recreation Facilities
- S12 LDP Efficient Resource Use and Flood Risk
- S13 LDP Landscape, Green Infrastructure and the Natural Environment
- S15 LDP Minerals
- S16 LDP Transport
- S17 LDP Place Making and Design

Development Management Policies

- H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements
- CRF2 LDP Outdoor Recreation/Public Open Space/Allotment Standards and Provision
- SD3 LDP Flood Risk
- SD4 LDP Sustainable Drainage
- LC1 LDP New Built Development in the Open Countryside
- LC5 LDP Protection and Enhancement of Landscape Character
- NE1 LDP Nature Conservation and Development
- EP1 LDP Amenity and Environmental Protection
- M2 LDP Minerals Safeguarding Areas
- MV1 LDP Proposed Developments and Highway Considerations
- MV3 LDP Public Rights of Way
- DES1 LDP General Design Considerations

## **4.0 REPRESENTATIONS**

### **4.1 Consultation Replies**

**Caldicot Town Council** – recommends refusal.

Development is outside of LDP

Insufficient Infrastructure, schools, health, traffic congestion (Church Road).

**Caerwent Community Council:** Caerwent is not included in the Traffic Assessment;

Impact on the traffic in Caerwent;

Impact on the Roman Remains;

Increase in Traffic over Caerwent Brook Bridge;

No footpaths on the road from Caerwent to Caldicot;  
Discharge of Surface water into watercourse;  
Close to a flood risk area;  
Impact on the SSSI;  
Impact on Caldicot Castle;  
Inadequate Infrastructure;  
Additional 1500 people in the area.

**Glamorgan Gwent Archaeological Trust (GGAT)** - No objection subject to a condition requiring a programme of archaeological work to protect the archaeological resource to be attached to any consent.

The proposal is located in an area of high archaeological potential. Extensive archaeological remains are located in the vicinity, including Romano-British farmsteads and land divisions, roundhouse, prehistoric pits and ditches, Roman cremations, as well as possible loom-weights. Several Scheduled Monuments are also located in the area, including a motte and bailey (The Berries, MM026), Caldicot Castle (MM050), Manor Farm (MM053) and a Romano-British farmstead (MM334).

#### **Natural Resources Wales (NRW)** -

We received a statutory pre-application consultation notice for this proposal under Article 2D of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2012. We provided a substantive response to that consultation on 11 May 2018. A copy of this response is contained in Appendix 10 of the pre-application consultation (PAC). Our advice remains unchanged. We recommend that you should only grant planning permission if you attach the following conditions. These conditions would address significant concerns that we have identified and we would not object provided you attach them to the planning permission.

Condition 1: Submission of a Construction and Environmental Management Plan (CEMP)

Condition 2: Submission of a Landscape and Ecological Management Plan (LEMP)

Condition 3: Details of the foul and surface water disposal.

#### Fluvial flood risk

The submitted Flood Consequence Assessment & Drainage Strategy (FCA) prepared by Jubb Consulting Engineers Ltd (dated May 2018, referenced: 17147-FCA-01-v3) indicates two very small areas of the application site fall within zone C2, as defined by the Development Advice Map (DAM) referred to under TAN15.

Our Flood Map information, which is updated on a quarterly basis, confirms these small areas are within the 0.5% (1 in 200 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines.

The FCA (4.1.1 and 4.1.2) explains that the areas at risk are currently woodland and grassland, however new development is not proposed for these areas. The proposed retention of these areas as woodland and grassland is reflected in the illustrative masterplan.

Given the scale of the areas and their retained use as woodland and grassland, we do not require any further assessment or information regarding the potential consequences of flooding in accordance with TAN15.

#### Land drainage and land drainage consent

The eastern boundary of the site is adjacent to the Internal Drainage District (IDD) boundary. The FCA states that a possible option for the site includes discharging to a local watercourse, with flows being discharged at a restricted rate.

From an IDD perspective, we may wish to comment on these details when they become available. However, we are satisfied that 'condition 3', requesting details of the foul and surface water drainage disposal, will control this aspect of land drainage. We advise the

applicant to contact us to discuss this further and whether IDD land drainage consent is required.

### **MCC Planning Policy -**

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

With regard to the claimed need for the development, the shortfall in the Housing Land Supply (currently 3.9 years) is an issue that has been addressed in both the September 2016 LDP Annual Monitoring Report (AMR) and October 2017 AMR. Both of these AMR's are available on the Council's website, the latest of which was formally endorsed for submission to the Welsh Government by Cabinet on 11 October 2017. The AMR recommended an early review of the LDP as a result of the need to address the shortfall in the Housing Land Supply and facilitate the identification and allocation of additional housing land. It also suggests that the adoption of a pragmatic approach to the determination of residential development sites will also assist in this context (as recognised in para 6.2 of TAN1). That is, where sites are a departure from the LDP but are otherwise acceptable in planning terms a recommendation for approval may be considered, however, the Welsh Government Cabinet Secretary made the decision on the 18th July 2018, to dis-apply paragraph 6.2 of TAN1, meaning that the requirement for Councils to give any housing land shortfall 'considerable weight' was removed. Nevertheless, the letter made it clear that it is for the decision-maker to decide how much weight, if any, to give its housing land supply shortfall. You may be aware that a report regarding Monmouthshire's approach to the housing land supply shortfall and unallocated sites was taken to Full Council on 20th September. The decision was made that when considering planning applications for residential development on unallocated sites, the Council gives 'appropriate weight' to its lack of a five year housing land supply, insofar as those development proposals are otherwise acceptable in planning terms and that a number of 'ground rules' are met. The Council minutes outlining this approach are available. In respect of this approach, any application would need to meet the ground rules and be assessed against the relevant policies considered in the remainder of these comments.

Strategic Policy S1 of the LDP relating to the spatial distribution of new housing provision states that the main focus of new housing development will be within or adjoining the main towns of Abergavenny, Chepstow and Monmouth, and that a smaller amount of new housing development will be provided in the Severnside sub region which includes the settlement of Caldicot. In this respect, as the proposal is for residential development within the Severnside area it is in general alignment with the spatial strategy of the plan, however, as it is outside the development boundary of Caldicot open countryside policies would apply.

Policy S4 relates to Affordable Housing Provision, as the site is located outside the Caldicot Development Boundary it is a departure from the LDP. The Affordable Housing Supplementary Planning Guidance was adopted in March 2016 and contains a specific section relating to departure applications in the open countryside (Section 4.4 E). This states that there is a requirement for 35% of the total number of dwellings on the site to be affordable. The proposal relates to 130 dwellings, the affordable housing requirement would therefore be 46 units. The planning statement refers to a contribution of up to 35% which would be in line with guidance but states that the applicant maintains the right to review the percentage of affordable housing provided subject to a viability assessment. As a departure site, however, if granted permission it will be expected that the site would deliver 35% affordable housing in line with policy.

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

Strategic Policy S13 relating to Landscape, Green Infrastructure and the Natural Environment is of importance. Policy LC5 relating to the protection and enhancement of landscape character must also be considered. Additionally Policy GI1 should be referred to in relation to Green Infrastructure, the GI team will no doubt provide more detailed comments in relation to these matters. Policy NE1 relating to Nature Conservation and Development must also be considered, liaison with the Council's Biodiversity Officer is advised in relation to this.

Strategic Policy S17 relating to Place Making and Design should also be considered along with Policy DES1 in relation to General Design. The site slopes down from west to east and is visible from the M48 Motorway. There is a substantial tree belt planted on the east side of the site and there is a SSSI beyond the eastern boundary. It would need to be demonstrated that the development would not have an adverse impact on this wider landscape and in this regard the density of the development would have to be carefully considered. Criterion i) of DES1 requires a minimum net density of 30 dwellings per hectare in order to ensure the most efficient use of land. The area of the site in the planning statement is stated to be 3.44 hectares, as the application relates to the construction of up to 130 dwellings this would give a density of some 38 dwellings per hectare. However, if all of the land within the site boundary is included this gives a total area of some 6.84 hectares. The illustrative masterplan provided with the application shows a large area of the site given over to Community Parkland and existing woodland, if these areas are excluded this would leave a net developable area of some 4.7 hectares which would reduce the density to some 27 dwellings per hectare.

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

The majority of the site is Grade 1 Agricultural Land which is identified as Best and Most Versatile. The applicant states that a soil and agricultural land quality survey was prepared by Land Research Associates for the site in October 2017 which found that while the site is technically classified as 'best and most versatile' agricultural land, it is right at the lower end of the scale and is not in a practicable sense suitable for intensive agricultural use. This issue will need to be addressed as part of the planning application.

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

Policy CRF2 should be considered relating to outdoor recreation/public open space/allotment standards and provision. The policy requires outdoor playing space at a standard of 2.4 hectares per 1,000 population and 0.4 hectares of public open space per 1,000 population. It is noted that 4 hectares of open space is included in the proposal in the form of community parkland with existing woodland also incorporated into the scheme. The last paragraph of Policy CRF2 also states that any development exceeding 50 dwelling units per site, should make provision for allotments if required in accordance with the standards

set out in the policy. Colleagues in the landscape/recreation team will no doubt provide comment in relation to these matters.

Policies SD2 and SD4 relating to Sustainable Construction and Energy Efficiency and Sustainable Drainage respectively must also be considered

The site is within a Minerals safeguarding Area for Limestone and as such Policy M2 should also be considered.

With regard to the claimed need for the development, the shortfall in the Housing Land Supply is an issue that has been addressed in the current LDP Annual Monitoring Report (AMR) (September 2017) which is available on the Council's website. The AMR recommends an early review of the LDP as a result of the need to address the shortfall in the Housing Land Supply and facilitate the identification and allocation of additional housing land. The Council has formally begun the LDP revision process with a Delivery Agreement for the revised Monmouthshire LDP agreed by Welsh Government on 14th May 2018. This means that work has formally commenced on the revised LDP, albeit that the revised Plan will not be in place until early 2022. It is acknowledged that to date the delivery of housing in the Severnside area has not reflected the levels proposed in the LDP with the strategic sites taking longer to come forward than expected, albeit it is acknowledged that they are progressing. For a site to make a positive contribution to the Council's land supply it would need to be ensured that the housing can be delivered within a five year period following any resolution to grant planning permission. If outline permission were to be granted for the site then the reserved matters timescale would need to be shortened to ensure delivery within this period.

### **MCC Housing -**

Housing and Communities have pleasure in responding to the consultation as set out in the table below. I have tried to include all of the information that the developer would require with links to our Affordable Housing Supplementary Guidance (SPG) and Welsh Government Development Quality Requirements (DQR).

#### Evidence of Housing Need

There are 876 households on Monmouthshire's Common Housing Register waiting for a house in this area.

The price of housing in Monmouthshire has risen to a level beyond that which many local people can afford. The average house price is now £299,400. The affordability ratio is 9:1 (Source: Hometrack LQ Date 09/04/18).

Policy compliant percentage of affordable housing: Departure from LDP: 35%

#### Standard required

Welsh Government Development Quality Requirements (DQR) - a copy of this document can be obtained from the Welsh Government website.

#### Tenure of affordable housing

Neutral Tenure. This is where tenure of housing is not predetermined but can vary according to needs, means and preferences of households to whom it is offered.

Number of units 130 @ 35% = 46 As we require an adapted bungalow for a disabled person we will accept 45 units

Mix Required

#### General Needs

2 person, 1 bed flats 12 (3 x 4 blocks of walk up flats)  
4 person 2 bed houses 16  
5 person 3 bed houses 4  
6 person 4 bed houses 2

#### OAP and Disabled

2 person 1 bed flats 8 (with a lift)  
3 person 2 bed bungalows 2  
Adapted bungalow (2 or 3 bed) 1

Price to be paid by RSL for affordable units

42% of Welsh Government Acceptable Cost Guidance

Preferred RSL Partner: Monmouthshire Housing Association

#### **MCC Highways** – No objection

The site is not an allocated strategic site in the Local Development Plan.

The application is for outline approval, with all matters reserved except for access.

With particular reference to the Transport Assessment dated April 2018 and Technical Note 02 Sensitivity Testing and Additional Modelling dated June 2018 and Drawing No. edp4019\_d005j Illustrative Masterplan, I would offer the following highway comments;

#### Transport Assessment General Observations;

##### Site Accessibility

##### Pedestrian accessibility

The proposed development abuts existing residential developments and links with existing pedestrian provision on the developments and Church Road providing reasonable links to the main attractors/facilities available in Caldicot, albeit the vast majority are in excess of 800 metres but all bar two identified locations are within 2km of the site.

Reference to a link to Heol Teifi is made but no details of the proposal have been provided for consideration.

##### Cycle Accessibility

The proposed site is within 600 metres of the National Cycle Network Route 4, the connection to the route has been assessed as part of the Active Travel audit but no details of any improvements or links between the site and adjacent infrastructure has been provided.

##### Public Transport Accessibility

The nearest bus stops to the development are located at Caldicot Cross (Chepstow Road / Church Road / Sandy Lane junction). They are approximately 890 metres from the nearest edge of the proposed development.

No real assessment of existing demand and spare occupancy on the 74 & X74 bus service has been undertaken.

##### Rail

Caldicot Station is within 1.8km and Severn Tunnel Junction is within 2.7km, walking from the development to either station is likely to be limited, although cycling may well be a more viable option for residents.

#### Highway Safety

No road safety concerns or issues have been identified.

#### Means of Access

The primary means of access is via the recently adopted roads known as Heol Sirhowy and Heol Trothy with a further two means of access proposed off Clos Ystwyth via the existing private drive serving Nos. 28 - 32 and the extension of Clos Ystwyth serving Nos. 34 – 40.

The highway authority at pre-application stage recommended that the development would benefit from two means of vehicular access thus promoting permeability, facilitate alternative routes of travel in and out of the development, emergency access and provide a through route for public transport. The transport assessment has concluded that the development can adequately be served via the recently adopted roads known as Heol Sirhowy and Heol Trothy and provision provided within the internal estate road layout to provide the opportunity at a later date for a connection to Heol Teifi over land outside the ownership and control of the applicant.

#### Traffic Impact

Heol Sirhowy, Heol Trothy and Church Road will operate within capacity with the increase in traffic generated by the development.

The development increases traffic flows on Church Road outside the school by approximately 6.2% and 5.9% in the am and pm peaks respectively. The increase in traffic is not considered to be detrimental to the existing situation. The site is not an allocated strategic site in the Local Development Plan.

The traffic increase and impact on the junctions in the immediate vicinity of the site is not detrimental and will operate within capacity, thus requiring no improvement or mitigation to accommodate the increased traffic flow.

#### Internal Layout

It is recommended that all internal estate roads will have a design a speed of 20mph or less. Parking provision shall be in accordance with the Council's Adopted Supplementary Planning Guidance " Monmouthshire Parking Standards"

Estate roads and will be constructed to adoptable standards enabling their future adoption pursuant to Section 38 of the Highways Act 1980.

In principle the Highway Authority have no objections to the proposed development from a traffic impact perspective, albeit that secondary access is neither required in capacity terms nor is in the ownership of the applicant.

Therefore on the basis of the aforementioned and with particular reference to the Transport Assessment dated April 2018 summary and conclusions, Technical Note 02 Sensitivity Testing and Additional Modelling dated June 2018 and Drawing No. edp4019\_d005j Illustrative Masterplan, I would offer no objections to the proposed outline application (with all matters other than access reserved for future date) subject to the following:

The internal estate roads and footways shall be designed and laid out to facilitate the future connection of the desirable secondary means of access if so required by the Highway Authority at a future date.



The highway authority will expect the developer to enter into a Section 106 Agreement for the following:

A financial contribution towards local highway and transportation improvements in Caldicot.

**MCC Green Transport -**

Because of the distance to many trip attractors and the state of the current bus service and active travel routes we feel a contribution to improve the local bus services and to improve walking and cycling links to key destinations is appropriate.

In terms of bus services, Church Road is currently served by route 75. However, it is running very infrequently (five buses per day) and a contribution of £40,000 is sought to pump-prime an enhanced service for up to five years.

In terms of active travel, as set out in the documents, while overall the routes to key destinations are reasonable, there are a number of issues (score between 70 and 95%) and a contribution of £30,000 would enable improvement of the routes.

**Gwent Police -** No objection to the proposed development.

**MCC Education -** Castle Park Primary School currently has some surplus capacity, however, with the developments assigned as part of the LDP we are anticipating that all Caldicot town schools will be under significant pressure and therefore have claimed / registered our intentions to claim contributions from the LDP site at the appropriate time.

On the basis of the above, and prioritising the LDP sites, we would be seeking to claim a shortfall of 20 pupil places for this development on the basis of 90 market 3 bed dwellings.

In terms of how these contributions will be spent, I am not able to commit at this stage to an increase in capacity at Castle Park Primary as a result of this development. We would need to undertake some feasibility studies, as I know the site of Castle Park is particularly pressured in its existing form of a 210 place school. However, if investment / increase in capacity at Castle Park is considered not to be appropriate, we would be looking to invest elsewhere in the town to ensure there are sufficient school places to accommodate the children forecasted to be generated.

The catchment area school for this development is Castle Park Primary School which currently has 185 pupils on roll with a capacity of 210. Caldicot town is one of our pressurised areas in terms of pupil places and we have prioritised the following developments within our pupil projections for the Caldicot area.

- \* Sudbrook Shipyard
- \* Crick Road, Portskewett
- \* Sudbrook Paper Mill

Therefore it has been anticipated that Sudbrook Shipyard will take the remaining places and we have requested S106 contributions from Crick Road and the Paper Mill.

**Dwr Cymru-Welsh Water -**

The potable water hydraulic modelling assessment has recently been completed and it was confirmed that the development has three connection options into surrounding water mains network that would not cause an unacceptable level of detriment to existing water supplies. We can therefore remove our OBJECTION, please see following comments and recommended planning conditions should this application receive consent.

The proposed development site is crossed by a number of public sewers with the approximate positions being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991, Dwr Cymru Welsh Water has rights of access to its apparatus at all times:

In addition, as shown on the Statutory Public Sewer Record, Nedern Rise/Clos Alwen SPS – Asset No 73604 lies in the West corner of the proposed development site. We would advise that no habitable buildings should be constructed within a 15m vicinity of this Sewerage Pumping Station (SPS) so as to minimise any effects of noise and odour nuisance. We would advise that the applicant consult with Monmouthshire's County Council's Environmental Health Team to seek their opinion regarding potential noise/odour issues and the current separation distance from the proposed development. We note the applicant is proposing to use sustainable drainage systems for the management of the development's surface water, as this does not involve direct/indirect connection to the public sewerage system we are satisfied with this. If the applicant proposes an alternative surface water removal method then we request the applicant exhausts the use of all sustainable drainage systems and make reference to "recommended non statutory guidance for sustainable drainage systems (SuDS) Wales" this has a surface water removal hierarchy, progression down the list should only be completed once each method has been exhausted. Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

#### **Wales and West Utilities -**

Our records show those pipes owned by Wales and West Utilities in its role as Licenced Gas Transporter. Service pipes, valves, syphons, stub connections etc. may not be shown but their presence should be anticipated. No warranties therefore are given in respect of it. They may also provide indications of gas pipelines owned by other gas transporters. WWU have pipelines in the area. Our appliances may be affected and at risk during the construction works. Should planning permission be granted, then we would require the promoter of these works to contact us directly to discuss our requirements in detail. Development will not be allowed on any plant or enclosure apparatus.

#### **Health and Safety Executive -**

Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

#### **MCC Green Infrastructure (GI) -**

In principle GI support the application subject to the following information being submitted as part of the outline application. In particular it is essential that the Landscape Schedule Drwg is amended based upon the comments below prior to approval:

1. Upgrade the LVA currently submitted to a full LVIA to include consideration of cumulative effects in relation to existing development. Consideration of the cumulative impact in relation to the existing settlement and its impact on the wider landscape.
2. Production of a clear Green Infrastructure Assets and Opportunities plan to identify:

- a. Existing assets, opportunities and constraints which will feed into the GI masterplan.
  - b. Existing movement and connections around and into the site, including consideration of the Caldicot Greenway Scheme and how the site may have opportunity to connect to the disused railway to the east;
  - c. Existing vegetation and green links;
  - d. The course of the gas main and the easements required (including what is acceptable for inclusion within the easement) no plant zones and their extent.
  - e. Existing play facilities adjacent to the site – play areas, the grass area /historical space.
  - f. Existing PROW and opportunities for connection.
  - g. Drainage constraints (possible attenuation tanks, open drainage channels – no plant zones.
  - h. Opportunities for connecting to castle.
  - i. Routes through to town.
3. Landscape Schedule Drwg to be retitled - Green Infrastructure Framework Plan:
- a. The plan should clearly identify the difference between existing and proposed vegetation;
  - b. The plan should clearly show the inclusion of a hedgerow between existing and new development (currently not clear enough and in places hidden by the redline boundary); please show this hedge boundary to be a minimum width of 3 double staggered rows with hedgerow trees incorporated within this boundary but for it not to be in private ownership so access for maintenance will be needed.
  - c. Note that the majority of internal tree planting is located within private gardens – please divert away from this if possible and include more street tree planting within strategic GI areas capable of being adopted;
  - d. Mark on a 4m wide maintenance strip/easement along strategic planting and existing hedgerows;
  - e. Within the northern green space simplify the grassland blocks into more consolidated areas of wildflower for ease of management, remove the kick-about area and include informal trim trail equipment and opportunities for informal play to link down into the central green corridor;
  - f. Areas within the gas main easement be mounded up with planting to create visual diversity and include narrow tunnels for informal wild play thus ensuring maximum use of these potentially sterile areas;
  - g. Clearly set out requirement for grazing within the south western field in the blue line to aid the lifecycle of the Hornet Robber Fly. This will be supplemented by detailed management plan that will need to be provided for 10 year period to run in perpetuity with the land – a specific separate Management Plan will need to be dovetailed into the GIMP and will form part of the Unilateral Undertaking.
  - h. Where the secondary pedestrian access will be incorporated please provide more planting and have consideration as to how this may affect the existing play area and footpath routes.
  - i. Identify and allow for a maintenance access to the woodland buffer strip.
  - j. Remove the road layout and only illustrate access points into /out of the site.
  - k. Opportunities for seating and interpretation to be incorporated along all green corridors and the northern green space.
  - l. Please indicate hatched areas where sections of the existing hedge/trees/vegetation will be lost to create access, either roads or gate to carry out maintenance.
  - m. All areas where planting is restricted to be shown and their extent.
  - n. Remaining areas to be developed to be caveated that there may be additional open space/GI assets to be incorporated.
  - o. Northern Green space to clearly illustrate consolidated areas of wildflower planting and retain existing grassland sward to aid a more deliverable management. Incorporation of trees/copses.

- p. All footpaths and PROW through and beyond site to be clearly illustrated and key connection points incorporated on the plan.
- q. All existing hedgerows, woodland and parkland character to be protected and reinforced as part of the new development and integrated into accessible green corridors.
- r. Design principles for key areas along street frontages to be incorporated.

4 Indicative GI Masterplan will need to dovetail with the Landscape Schedule/ GI Framework Plan. The two are interlinked.

#### **MCC Biodiversity -**

We have concerns about the loss of habitat for priority species and a more emphasis on mitigation is required before we can be satisfied that there the planning decision will not be contrary to local policy and national legislation. We have outstanding concerns relating to the principle of the development and loss of habitat for Priority Species however, subject to a unilateral undertaking to cattle graze the adjacent land for a period of 10 years plus improvement of the floral diversity of the open space to be adopted by MCC, we do not object to the scheme.

#### **Aneurin Bevan University Health Board -**

This is to confirm that there are no specific building issues related to this development, as although there are some capacity issues in the Caldicot practice, they are resolvable within the current footprint. There are staffing challenges in primary care as you are aware, however the practice are optimistic that they will be able to meet the requirements of the residents of this particular development.

Comments received from the Health Board in relation to the pre-application submission MC/2017/ENQ/00906:

In order to assess whether the new unallocated housing units proposed in Caldicot will impact on the provision of health services in this area, it has been necessary to also examine the proposed housing developments in Chepstow and The Forest of Dean. It is clear that if all the proposed housing allocations are developed, there could potentially be insufficient capacity to accommodate the increased demand on General Medical Services in Chepstow, Severnside and Tutshill/Sedbury areas.

##### **Severnside Area**

Mon CC Local Development Plan highlights the increase of 1,782 housing units up to the year 2026, with a proposed increase in population of 4,633.

There are four GP practices which cover this area, however in reality the majority may attend the Caldicot practice with a smaller amount going to Mount Pleasant branch in Portskewett. Therefore if the total number of units is developed there will be a strain on General Medical Services provided in this area.

##### **Chepstow Area**

The three Chepstow GP practices are set to experience an increase in the population due to Mon CC Local Development Plan, which highlights the increase of 248 housing units in Chepstow up to the year 2026, with a proposed increase in population of 6,488.

Working on the assumption that this increased population will be equally divided between them equates to 2,149 to each practice and this will impact on the practices, putting strain on the General medical Services provided in this area.

##### **Tutshill/Sedbury Areas**

Also to be included in this is the Forest of Dean District Council Local Development Plan which indicates that in the Sedbury and Tutshill area there will be an increase of 222 units which equates to a proposed 577 population increase. The increase in patients will create further demands on the Chepstow practices.

## Conclusion

In summary up to the year 2026 there are a total of 4,484 housing units proposed with a total potential increase in the population of 11,658.

### **MCC Heritage Officer -**

Recommendation: Acceptable

The development site is north of Caldicot Conservation Area, within a 1km radius several listed buildings can be found, of particular note is the Grade I Caldicot Castle, within the radius three Scheduled Monuments can be found, the castle is a monument and LB. In regard to the potential impact of the development on the setting of Scheduled Monuments comments should be sought from Cadw. Heritage comments relate strictly to the listed buildings and the Conservation Area.

#### LBs:

2006 – Caldicot Castle (GI)

2019 – Church of St Mary (GI)

2741 – The Manor Nursing Home (GII)

2055 – Church Farmhouse (GII\*)

2756 – Barn at Church Farm (GII)

2738 – Upper House (GII)

Apart from Caldicot Castle, the above designations sit within an existing urban environment; it is considered the development will not have a detrimental impact on the special architectural or historic interest of the buildings. Caldicot Castle, northbound views from the tower sections contain a mixture of rural and urban landscape vistas. Elements of the proposed development will be visible from the north tower, however due to the enclosing nature of the castle grounds and mature vegetation surrounded by the park, soft landscaping mitigation can screen the potential loss of views from the tower, it is viewed such impact is negligible.

#### Caldicot Conservation Area:

It is considered, the development will not have a detrimental impact on the character of the conservation area. The north-west is an urbanised view and Caldicot Castle Park is relatively screened with existing mature growth. The development would be established from the area as a further urban extension, potential impacts can be further mitigated via soft landscaping which will mature in time to provide coverage.

#### Planning (Listed Buildings and Conservation Areas) Act 1990:

Paragraph 66 – (1) In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 72 – (1) In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

#### Planning Policy Wales (Edition 9):

Paragraph 4.11.10:

In areas recognised for their landscape, townscape or historic value, such as National Parks...and conservation areas, and more widely in areas with an established and distinctive design character, it can be appropriate to seek to promote or reinforce traditional and local distinctiveness. In those areas the impact of development on the existing character, the scale and siting of new development, and the use of appropriate building materials (including where possible sustainably produced materials from local sources), will be particularly important. The impact of development on listed buildings should be given particular attention.

Paragraph 5.1.2:

The Welsh Government's objectives for the conservation and improvement of the natural heritage are to:

- Ensure that statutorily designated sites are properly protected and managed.

Paragraph 6.5.9:

Where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses.

Paragraph 6.5.10:

Applicants for listed building consent must be able to justify their proposals, show why alteration or demolition of a listed building is desirable or necessary.

Paragraph 6.5.11:

There should be a general presumption in favour of the preservation of a listed building and its setting, which might extend beyond its curtilage. For any development proposal affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses.

Paragraph 6.5.20:

There should be a general presumption in favour of the preservation or enhancement of the character or appearance of a conservation area or its setting,

Monmouthshire Local Development Plan 2011-2021

Policy HE1 – Development in Conservation Areas Within Conservation Areas, development proposals should, where appropriate, have regard to the Conservation Area Appraisal for that area and will be permitted if they: a) preserve or enhance the character or appearance of the area and its landscape setting; b) have no serious adverse effect on significant views into and out of the Conservation Area; c) have no serious adverse effect on significant vistas within the area and the general character and appearance of the street scene and roofscape; d) use materials appropriate to their setting and context and which protect or enhance the character or appearance of the Conservation Area; and e) pay special attention to the setting of the building and its open areas. Where development is acceptable in principle it should complement or reflect the architectural qualities of adjoining and other nearby buildings (unless these are harmful to the character and appearance of the area) in terms of its profile, silhouette, detailing and materials. However, good modern design may be acceptable, particularly where new compositions and points of interest are created.

**MCC Public Rights of Way -**

The Active Travel Act requires that LA continually improve facilities and routes for pedestrians. The Act aims to make active travel the most attractive option for short everyday

journeys. All schemes should be permeable to pedestrians and cyclists and form safe and convenient connections to surrounding infrastructure.

Although pedestrian links to the adjacent existing housing development could be better these are probably as good as is achievable given the site's constraints. These links must however be made up to appropriate standards and maintained and protected for the public. Public footpaths 37, 38 and 39 run through or adjacent to the site. The developer must accommodate these paths or apply for a path order to divert them. Paths should avoid the use of estate roads and private areas wherever possible, they should be made away from vehicular traffic. The proposal although in outline looks to divert path 37 onto an estate road. The effect of development on a public right of way is a material planning consideration. Another footpath runs close to the site that has no recorded legal status. This path is well used and forms path of the Wales Coast Path Caldicot Circular Route. Although outside the red line we would like to see this path formalised as part of the application by way of planning gain.

### **Local Member Councillor Tony Easson**

Magor GP surgeries need major improvement to cater with the expected population growth. Patients will gravitate to Caldicot from Magor. Need also to consider growth from Sudbrook, Crick Road and Magor. Do not consider that the Health Board have explored the effects that all development pressure will put on GP surgeries.

#### 4.2 Neighbour Notification

Adverse impact on air quality

TA uses national not local data

Loss of views

Needs high quality design, detailing and materials

Impact on bat roosts

Impact on Great Crested Newts

Inconstancies in the ecological appraisal

Ecological report is not objective

Needs technical examination of submitted documents

Impact on protected wildlife

Local residents and RSPB have not been consulted

Needs planning condition to exclude the keeping of domestic animals?

There is a five-year management plan for the protection of robber flies on this land through a S106 agreement

Impact on the SSSI, pollution and disruption

Development by stealth

TA underestimated car use

Site not allocated in the LDP

Effect on the landscape character of the area

MCC is failing to meet housing targets

Needs sufficient water and sewerage infrastructure

Will not provide sustainable development

Site will not be accessible by public transport or walking

Contrary to policy S13 of the LDP

Exacerbate existing flooding issues

Will not reduce the need to travel

Loss of agricultural land

No economic gain for the area

Planning statement is inaccurate

Cars will park on the roundabout

Heol Sirhowy is not suitable for a further 130 dwellings

Applicants have not put forward reliable evidence

Disruption to a beautiful area filled with wildlife  
Disruption during building works  
Roads are not fit for purpose  
Doctors and dentists are overloaded  
Increased risk of accidents  
Additional stress on the health service  
Tarnish the charm of Caldicot  
Impact on the National Cycle Network  
MCC lack of investment in integrated footpaths  
Footpaths are too narrow  
The DAS is inaccurate saying that it was always intended that this site be developed  
Loss of open green space  
Primary school is already full  
Lanes through Caerwent are unsuitable for more traffic  
Land will become compacted during construction and this could affect land drainage  
Impact on traffic through Caerwent  
Will lead to more commuting  
Will not lead to more job opportunities  
Caldicot is overloaded  
Additional 1000 homes added to Caldicot /Portskewett  
Development is not needed  
Over development  
Impacts negatively on the quality of life and health of local residents  
No guarantees on how the sustainable drainage will work  
Impact on the Severn Estuary SAC, SPA and RAMSAR  
Surface water and run-off may pollute the Nedern Brook  
A second access is needed but not provided  
MCC does not have the resources to provide a second access  
Danger to children using the park  
Dangerous road junction and a blind corner  
Vehicles will mount the pavement  
Roads are in a poor state of repair  
Lack of council investment in the area  
Local leisure centre is at capacity  
Local roads are at gridlock  
Caldicot is full  
Safety issues with the high-pressure gas main  
Compromises LDP policies  
Building near protected limestone deposits  
Destruction of the landscape  
No justification for this development in the LDP  
Loss of wildlife corridors  
Danger of pedestrians going to school  
Loss of public rights of way  
Developments in Sudbrook and Portskewett will add to the pressure  
Faulty surveys  
The roads are unsuitable for construction traffic  
The very fabric of Caldicot Town is threatened  
Traffic survey was carried out during half term  
No considerations of other developments in the area  
No joined up thinking about the cumulative impact  
Loss of protective boundary for the SSSI  
The land for the community park already exists, it is not being created  
Impact on Roman Ruins in Caerwent  
Loss of views from existing houses and Nedern Trail



Adverse impact on Tourism Loss of Green Space  
Where will the cattle be relocated into the SSSI or the Flood Zone?  
No monitoring of the site for the last 10 years for the Hornet Robber Fry despite a requirement in the S106  
Why was the site not included in the LDP?  
Not enough mitigation for the impact on the landscape  
LVIA says this is a high to sensitive landscape and the proposal will have a major adverse effect on the landscape and PROW  
The democratic process does not work  
Houses are too expensive for local people so people will move in from England, which is contrary to WG goal to promote a bilingual Wales.  
Church Road is unsafe for pedestrians and drivers  
Increased flood risk  
Disagree with the Health Board's comments. Health Board do not know how difficult it is to get an appointment in Caldicot. This is not what local residents want  
Town Council's objections have been ignored  
MCC does not listen to public's views  
Do not believe that all the correspondence from the developer is appearing on the website  
As suitable access points were made on the previous development, they must have known that this site was going to be developed  
Landscape is high to medium sensitivity  
Nedder Valley acts as a setting for the Castle and other SAM's  
Ignoring the advice given in the "Ecological Connectivity Assessment of 2010  
Conflict with LDP Policy LC1  
Caldicot is providing more new housing than other towns should be accommodating  
The density of development is too high  
The affordable housing will not be delivered  
Major impact on landscape character  
No employment opportunities  
Increase in pollution  
Decaying infrastructure  
Existing trees are not substantial enough to protect the SSSI  
Loss of TPO's  
Reports not issued in Welsh  
Impact on the castle from south facing solar panels  
Underhand tactics by MCC officers, insufficient time to study reports  
Inaccurate reports  
Loss of high quality agricultural land  
MCC should work for local people who elected them and not be persuaded by bribes.

## **5.0 EVALUATION**

### **5.1 Principle of the proposed development**

5.1.1 The site is located outside the Caldicot Development Boundary in an area considered as open countryside. As such, its development for housing is a departure from the adopted development plan and open countryside policies apply. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that all planning applications shall be determined in accordance with the adopted LDP unless material planning considerations indicate otherwise. One of those material considerations is the Council's housing land supply. There is a shortfall in the five year land supply in Monmouthshire with the land supply currently at 3.9 years. Until July 2018, paragraph 6.2 of TAN1 required that, when considering planning applications for housing development on land not allocated in an adopted LDP, 'considerable weight' must be given to the lack of a five year housing land supply. This meant that otherwise acceptable housing development would be approved

even if it were not allocated for development in the LDP. Appeal decisions in this regard were consistent and clear. In July 2018, the Cabinet Secretary with responsibility for Planning issued a consultation on a proposal to 'suspend' paragraph 6.2 of TAN1 for an undetermined period, while a review of housing supply is undertaken. The Cabinet Secretary has since issued her decision, which is to dis-apply paragraph 6.2. The duration of this decision is unspecified. Her letter, however, goes on to state that it is now for the decision-maker (i.e. Monmouthshire County Council as Local Planning Authority) to decide the weight to give its housing land supply shortfall.

5.1.2 On 20th September 2018, Council considered a report entitled "Addressing our lack of 5 year land supply: Monmouthshire's Approach to Unallocated Sites". This report set out the challenges and opportunities facing the County and our communities, including significant affordable housing need, the highest average house prices in Wales, our increasingly imbalanced demography and the resultant weak economic base, and the opportunities arising from Cardiff Capital Region City Deal and the economic growth in the Bristol area. Our housing land supply stands at 3.9 years, and our development trajectories show that by the end of the current LDP's plan period in December 2021, we would have a shortfall of 961 homes (of which 337 are affordable homes) against the LDP housing targets. Council resolved that our housing land supply shortfall will be given 'appropriate weight' when considering planning applications for residential development on sites outside of the adopted LDP. Consideration would follow a hybrid spatial model based on a balance between evidence of delayed site delivery, which shows the greatest shortfall is within the Southern local housing market area which includes Chepstow and Severnside; and the LDP settlement hierarchy which seeks to focus growth on the three main towns of Abergavenny, Chepstow and Monmouth, then Severnside, then the rural secondary settlements of Llanfoist, Penperlleni, Raglan and Usk. The Council resolved that consideration of unallocated sites would be subject to the following ground rules:

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

reserved matters within 1 year, with commencement within 1 year of approval of the reserved matters;

10. Applications recommended for approval shall be accompanied by a Unilateral Undertaking by the time they are presented to Planning Committee;

11. This decision ceases to have effect should we regain a five year land supply and/or meet the LDP housing shortfall identified in this report.

In the case of this current outline application for new housing development on the eastern side of the Town of Caldicot, the proposal does comply with the overall LDP spatial housing strategy as the site is adjacent to a Severnside settlement, next to the development boundary, in a sustainable location within walking distance of the Town Centre. The site is located within the Southern local housing market area where the evidence shows the housing delivery delays are greatest in magnitude. The proposal therefore complies with option 2e as set out in the 20th September 2018 Council report.

Since the date of Council's decision, the following planning applications for unallocated sites have been approved:

None

However, an application for outline planning permission for up to 111 dwellings in Raglan is reported elsewhere on this agenda.

It is therefore considered that there has been no change in circumstances to diminish the appropriate weight to be given to our housing land supply shortfall when considering this application.

With regards to the ground rules agreed by Council:

- 1) A small part of the site, but not the developable area, is in a C2 Flood zone. No dwellings or roads would be located within the flood zone;
- 2) The site is not designated as a Green Wedge in the adopted LDP;
- 3) The site is not allocated as an Employment Site in the adopted LDP;
- 4) . The development would provide 35% affordable housing which is policy compliant and not subject to viability testing. Based on 130 dwellings, the site would provide 46 affordable dwellings (or 45 if the requested adapted bungalow is provided);
- 5) The site is acceptable in planning terms for new housing development and is in a sustainable location within easy walking distance of the Town Centre, shops, medical facilities, schools, amenity sites and community facilities. The site also has good access to the local bus and train services. Aside from the fact that the site is not allocated within the LDP, it meets all other policy objectives. This is considered further in the remainder of the report;
- 6) The scale of the proposed development (up to 130 dwellings) is considered to be proportionate in the context of the scale of Caldicot, a town of approximately 4350 homes, and part of the wider Severnside area. There are no LDP allocated housing sites within Caldicot itself, although Severnside includes the following allocated sites:
  - a. Crick Road, Portskewett: allocated for 291 homes (25% affordable), outline planning application reported elsewhere on this agenda;
  - b. Former Paper Mill, Sudbrook: planning permission granted for 212 dwellings (9.6% affordable), under construction;
  - c. Rockfield Farm, Undy: outline planning permission granted for around 270 dwellings (25% affordable), reserved matters application received for phase 1;
  - d. Vinegar Hill: allocated for around 225 homes, no application submitted to date.

The following additional development in Caldicot appears in the latest Joint Housing Land Availability Study:

DC/2016/01453 Brookside 25 dwelling units

In conclusion, the scale of additional residential development is considered proportionate and acceptable both in its own right and cumulatively with other approved and allocated residential development;

7) As stated above, the application site is located within Severnside, so this ground rule is complied with;

8) The size and mix of the proposed dwellings, and their effect on tackling our demographic challenges and their suitability for the location will be considered at the Reserved Matters stage, should this application be approved;

9) Should Committee be minded to grant planning permission, a condition would be imposed to require submission of reserved matters within 1 year, with commencement within 1 year of approval of the reserved matters. The reason is to ensure prompt delivery to meet the housing shortfall which is the justification for departing from the adopted LDP;

10) This application is accompanied by a Unilateral Undertaking;

11) Neither the identified housing delivery shortfall of 961 dwellings by the end of the LDP plan period, nor the housing land supply shortfall, have been addressed to date, and so the Council's decision of 20th September 2018 remains in place.

## 5.2 Loss of Agricultural Land

5.2.1 Section 4.10 of PPW gives weight to the protection of land in agricultural grades 1, 2 and 3a. Paragraph 4.10.1 states that such land should only be developed on "if there is an overriding need for development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations." A soil and agricultural land quality survey was prepared by Land Research Associates for the site in October 2017. The majority of the site is Grade 1 Agricultural Land which is identified as Best and Most Versatile. Part of the site is woodland and the majority of the site has been used for the grazing of cattle. There is an overriding need for housing development within the Severnside sub region due to the shortfall of housing provision in the area which can be demonstrated through the latest Joint Housing Land Availability Study. The applicant maintains that the land in question is at the lower end of the "best and most versatile" land classification and that it has imperfect subsoil drainage and that it has limited potential for growing crops, hence why it has been used as grazing land. According to the applicants, the land is not suitable for intense agricultural use. In this case, officers consider that the overriding need for housing development in the area overcomes the need to protect agricultural land which is grade 1 and that the proposal is in accordance with the objectives of paragraph 4.10.1 of PPW.

## 5.3 Mineral Safeguarding Area

5.3.1 The Regional Technical Statement (RTS) of the South Wales Aggregates Working Party (October 2008) requires MCC to investigate and safeguard limestone for possible future use. This requirement is achieved through LDP Minerals Policy S15 which states that the Council will seek to contribute to regional and local demand for a continuous supply of minerals by safeguarding known and potential resources and maintaining a 10 year land bank of permitted aggregate resources through the plan period. To this end Minerals Safeguarding Areas have been identified on the LDP proposals map. The northern half of the development site is in the Limestone Safeguarding Area. Policy M2 of the LDP states that development proposals which may impact on the MSA will be considered against the following requirements:

a) Proposals for permanent development uses within identified MSA will not be approved unless:

- i. “The potential of the area for mineral extraction has been investigated and it has been shown that such extraction would not be commercially viable now or in the future or that it would cause unacceptable harm to ecological or other interests; or
- ii. The mineral can be extracted satisfactorily prior to the development taking place; or
- iii. There is an overriding need for the development; or
- iv. The development comprises infill development within a built-up area or householder development or an extension to an existing building.”

5.3.2 The proposed housing site is in close proximity to a SSSI and there is a risk that any mineral extraction in this location could cause ecological harm to the SSSI. The limestone could not be satisfactorily extracted prior to development taking place due to the close proximity to the existing residential housing, which abuts the site. Minerals would not normally be quarried within 200m of existing homes, so future extraction from this site is considered to be very unlikely. The SSSI to the east means allowing this proposed development would not, in itself, sterilise further mineral reserve from future extraction because the SSSI would likely limit this opportunity anyway. In this case, it has been demonstrated above that there is an overriding need for the development to provide much needed housing in the area. The proposal is therefore not contrary to the objectives of policy M2 of the LDP

#### 5.4 Affordable Housing

5.4.1 Policy S4 of the LDP relates to Affordable Housing Provision, as the site is located outside the Caldicot Development Boundary it is a departure from the LDP. The Affordable Housing Supplementary Planning Guidance was adopted in March 2016 and contains a specific section relating to departure applications in the open countryside (Section 4.4 E). This states that there is a requirement for 35% of the total number of dwellings on the site to be affordable. The proposal relates to up to 130 dwellings, the affordable housing requirement would therefore be 46 units if the full 130 dwellings are included at the detailed planning stage. The Planning Statement refers to a contribution of up to 46 units but requests the right to review the percentage of affordable housing provided subject to a viability assessment. MCC planning officers maintain that if this departure development should go ahead the development must provide the full 35% in order to be policy compliant and that there is no need for a viability assessment: if 35% cannot be achieved the whole development would not be allowed. The developers have now agreed that 35% will be provided and that this will not be subject to a viability assessment. This will be clearly stated in the Unilateral Undertaking between the Council and the landowner. This is in accordance with the ‘ground rules’ agreed by Council on 20th September 2018.

5.4.2 There is clear evidence of need for affordable housing in the Caldicot Area. The MCC Housing officer has outlined the mix of affordable housing that is required based on local need. This being as follows:

##### Mix Required

##### General Needs

2 person, 1 bed flats	12 (3 x 4 blocks of walk up flats)
4 person 2 bed houses	16
5 person 3 bed houses	4
6 person 4 bed houses	2

##### OAP and Disabled

2 person 1 bed flats	8 (with a lift)
3 person 2 bed bungalows	2

Adapted bungalow (2 or 3 bed) 1

Total 45

5.4.3 The houses would all be built to the relevant DQR standards and will be available under neutral tenure. This is where tenure of housing is not predetermined but can vary according to needs, means and preferences of households to whom it is offered. Of the 130 dwellings provided on this site 35% would be affordable and this equates to 46 units. As we require an adapted bungalow for a disabled person the Council's Housing Officer is prepared to accept 45 units as the adapted bungalow will be land hungry with a larger than average floor area. The affordable housing units will be handed over to a registered Housing Association. The specific mix of housing types required will be included in the legal agreement and will be altered pro rata if the housing numbers alter with the reserved matters. The affordable housing will be provided in three separate areas in line with the 'pepper potting' requirement of the policy. It will be part of the terms of the unilateral undertaking that all of the affordable housing will be constructed before the occupation of 80% of the market housing. The provision of affordable housing will be fully compliant with LDP Policy S4 and the Affordable Housing Supplementary Planning Guidance.

## 5.5 Education Provision

5.5.1 MCC Directorate for Children and Young People has considered all major new housing developments in the Caldicot, Sudbrook and Portskewett areas and has concluded that while Castle Park Primary School currently has some surplus capacity, taking into account the developments assigned as part of the LDP or with extant planning permission, it is anticipated that all Caldicot town schools will be under significant pressure. Therefore a S106 contribution is required to increase capacity at primary level. There is sufficient secondary education capacity.

5.5.2 On the basis of the above, and prioritising the LDP sites, there would be a shortfall of 20 pupil places for this development on the basis of 90 market 3 bed dwellings. This takes into account the open market housing and does not include the affordable housing units, which do not pay a contribution.

5.5.3 As this is an outline application, the exact mix of the housing types is not known at this stage, so we have taken a 3-bedroom property as the average. The proposed development would provide a maximum of 85 open market houses and this figure has been used to predict the demand for school places required in the area as a result of this development. It is predicted that this development will result in a shortfall of 20 primary school places in the Caldicot Catchment area, the exact number will be determined by the number of houses put forward in the reserved matters but the contribution will be £17,257 for each extra school place required. This will be required through a unilateral undertaking. This money will be used to provide extra school places in the most expedient locations to ensure there are sufficient school places to accommodate the children forecasted to be generated.

## 5.6 Health Provision

5.6.1 As agreed with Members in 2017, the Aneurin Bevan Health Board is consulted on all major residential planning applications. The number of GPs in an area is based on population number. Aneurin Bevan Health Board have confirmed that GP provision within the area is at capacity. However, in this particular case the local GP surgery can accommodate an additional GP without needing to physically extend the surgery building or its car park. Consequently, no S106 contribution is sought in this instance. In terms of concerns raised during a recent public meeting organised by the Town Council that there is difficulty recruiting GPs, this has been raised with the Health Board. The Health Board

advises that although this is an issue in some areas of their Health Board area, they and the practice are optimistic that they will be able to meet the requirements of the residents of this particular development. There is no justification for requiring any new infrastructure in the form of a new surgery based on the number of new homes being created as a result of this development.

## 5.7 Highway Safety

5.7.1 The application was supported by a Transport Assessment (TA) that included sensitivity testing and additional modelling. This TA has been considered by MCC Highways and independently assessed by Capita. The TA found that the proposed site had good pedestrian links to Caldicot Town Centre and that there was a bus stop within 900 metres of the edge of this site at Caldicot Cross from where there are services to Newport and Chepstow. There are two train stations within 3km of the site, Caldicot Station that has links to Newport and Chepstow and Severn Tunnel Junction which has access to Bristol and London. In addition, the site is only 600 metres away from the National Cycle Network Route 4. It can be seen therefore that this is a sustainable location with good links to public transport. Of all the settlements within Monmouthshire, Caldicot with its two local train stations and good bus links, is the most connected in terms of public transport. The principle of new housing development in this sustainable location conforms to policy objectives for new housing development within the County. The pedestrian links to the town centre and the cycle routes are good.

5.7.2 With regards to Highway Safety Issues, MCC Highways offer no objection. Although this is an outline application, access into the site is being considered at this stage. The proposal shows that there will be one main access into the new housing development and this will be from the recently adopted Heol Sirhowy and would serve up to 120 of the new dwellings. There would also be two vehicular accesses off Clos Ystwyth each serving approximately five dwellings (dependent on the reserved matters design). The capacity of the local road network to accommodate the additional traffic generated by the proposal has been considered especially with reference to Church Road, Heol Trothy, Heol Sirhowy and Clos Ystwyth. The TA concluded that the development can adequately be served along those roads without detriment to the local road network and that those roads do have sufficient capacity to accommodate the new development. The TA looked particularly at the increase in traffic flows along Church Road. It found that there would be a 6.2% increase in traffic during the morning peak (rush hour) and a 5.9% increase during the pm peak. This level in the increase in traffic can be accommodated at the junctions in the immediate vicinity. MCC Highways concur with this stating that the roads will operate within capacity after the development is completed and that there is no need for any improvement or mitigation.

5.7.3 While it is agreed that the new development can be safely served by one main vehicular access into the site, the local area would benefit from two means of vehicular access into the site thus promoting permeability, facilitating alternative routes of travel in and out of the development, emergency access and potentially providing a through route for public transport. It is for this reason that a clause will be put into the unilateral undertaking requiring that the developers provide the opportunity for the new development to link up to Heol Teifi over land outside the ownership and control of the applicant.

5.7.4 As this is an outline application the design of the estate roads is not being considered but it is expected that they will be designed to have a speed of 20mph or less and that the layout will comply with the adopted Monmouthshire Parking Standards. This will be considered at the Reserved Matters stage, should this outline application be approved.

5.7.5 In conclusion, MCC Highways have no objection in principle to the proposed development from a traffic impact perspective. While a secondary access is not required in terms of capacity, it would be desirable at a later date to improve permeability.

## 5.8 Sustainable location and sustainable transport

5.8.1 Paragraph 9.1.2 of Planning Policy Wales (PPW) emphasises the importance of locating residential development on sites that are easily accessible by public transport, cycling and walking, as well as by private car. Paragraph 4.4.3 of PPW also emphasises the need to promote resource-efficient settlement patterns that minimise land-take. Paragraphs 4.9.1 and 9.1.1 outline the preference to utilise previously developed land in advance of greenfield sites, ensure high levels of sustainability and an appropriate mix of private and affordable housing. In this regard, Paragraph 9.2.8 states that when identifying sites, local authorities should follow a search sequence, as follows:

- 1) Re-use of previously developed land and buildings within settlements;
- 2) Settlement extensions; and then
- 3) New development around settlements with good public transport links.

5.8.2 Whilst this location is a greenfield site, there are very few brownfield sites available in Monmouthshire; it is on the edge of an existing settlement. The site does comply with the overarching housing strategy of the LDP which is that the main focus for new housing development should be within or adjoining the main towns and Severnside sub region settlements. The proposed site abuts the existing residential development along Church Road and is within easy walking distance of Caldicot Town Centre and other community facilities. This site can be considered as a sustainable location. The proposal also conforms to the strategy outlined in the recently adopted report for Addressing the Lack of Five Year Land Supply: Monmouthshire's Approach to Unallocated Housing Sites. The site is not allocated as part of a green wedge, it is well related to the existing built form being adjacent to similar housing development, and the site boundary is clearly formed by existing woodland planting to the east of the site and its close proximity to community facilities.

5.8.3 An Active Travel Audit was submitted as part of the application and was prepared in accordance with the Welsh Government's Design Guidance: Active Travel (Wales) Act 2013. The Active Travel Audit gives an assessment of walking and cycling routes. A number of walking routes between the site and important destinations within Caldicot were identified. Each of the identified walking routes achieved a score equal to or above the 70% identified as a 'Pass' within the 'Active Travel Design Guidance'. These routes are all well-established walking routes, generally with footway, footpath or shared-use provision. Many of these routes also comprise part of the existing active travel routes. It did identify some areas where the routes could be improved for example by cutting back overhanging vegetation or by repainting road signs. An existing cycle route runs through Caldicot but is not adjacent to the proposed development site. The cycle route element of the Audit also scored 70% which is identified as a 'Pass' within the 'Active Travel Design Guidance' and as such, it is considered that this link between the site and National Cycle Network (NCN) Route 4 is suitable for cycling. There is currently no signage from the site to the cycling route but, as part of the Full Travel Plan, future residents of the site would be furnished with details on local cycle routes and this could include directions to connect into this local cycle route. As part of MCC's Active Travel Annual Report 2016 – 2017, improvements to the cycle infrastructure within Caldicot are identified. These comprise the "Installation of retro cycle hoops at 6 locations and large public pumps at 2 locations within and around the town centre, including Woodstock Way, Newport Road, Chepstow Road and Sandy Lane in Caldicot. It is noted that this equipment has been purchased but not installed, with installation envisaged during improvement works to the town centre in 2018.



5.8.4 The Council's Transport Planning and Transport Officer has identified that there is a need to pump prime a local bus service and also to have a financial contribution towards an active travel plan. This will be included in the Unilateral Undertaking under the Heads of Terms "local Highways and Sustainable Transport".

## 5.9 Drainage

5.9.1 The application is proposing the use of a suburban urban drainage system which would incorporate a number of attenuation features such as tanks and large diameter pipes to provide the required storage for surface water. This is in line with the objectives of Policy SD4 of the LDP which requires that development proposals will be expected to incorporate water management measures, including Sustainable Drainage Systems (SuDS), to reduce surface water runoff and minimise its contribution to flood risk elsewhere. As with the recently completed site adjacent, the use of SuDS can control the rate at which the surface water enters the Nedern Brook and its catchment area thereby reducing the risk of flooding. The details of the surface water drainage will need to be provided as part of the reserved matters application as its nature and location will be dependent on the layout of the site and vice versa. NRW are satisfied with this approach and have requested a condition requiring that details of the foul and surface water drainage disposal be provided at the Reserved Matters stage. As the site is adjacent to an SSSI, it is important that any surface water entering the water course is not contaminated. The site is also located within Zone 1 of the Great Spring Source Protection Zone (SPZ). Source Protection Zones are designated by NRW to identify the catchment areas of sources of potable water (that is high quality water supplies usable for human consumption) and show where they may be at particular risk from polluting activities on or below the land surface. Source Protection Zone 1 (SPZ1) areas are designated closest to the source of potable water supplies and indicate the area of highest risk for abstracted water quality. Inappropriate foul or surface water drainage disposal has the potential to pollute the SPZ1. The current application does not provide details in relation to surface and foul water disposal but states that surface water management design will be incorporated into the detailed layout at the Reserved Measures stage. The Drainage Strategy states that it is proposed to discharge surface water run-off to the watercourse. NRW are satisfied that the discharge of clean roof water to ground is acceptable both within and outside SPZ1 provided that all roof water down-pipes are sealed against pollutants entering the system from surface run-off, effluent disposal or other forms of discharge. There is a pipe carrying surface water (between 450mm and 2100mm in width) which crosses the northern part of the site. The developers are aware of the width of easement required for this and the layout of the housing development can be designed to accommodate these easements.

## 5.10 Water Supply

5.10.1 Welsh Water states in the consultation response, "The potable water hydraulic modelling assessment has recently been completed and it was confirmed that the development has three connection options into surrounding water mains network that would not cause an unacceptable level of detriment to existing water supplies." Local residents have reported concerns regarding water pressure, with some residents in the older homes saying their water pressure has reduced since the new homes have been built. However, Welsh Water have no objection to the proposal, and confirms that sufficient water can be supplied to the site.

## 5.11 High Pressure Gas main through the site

5.11.1 There is a high-pressure gas pipeline crossing the site. It runs between Caerwent and Sudbrook with an operating pressure of 39 Bar and a diameter of 168mm. It is constructed of steel and is approximately 1.1 metres in depth.

The applicants have discussed the proposal with Wales and West Utilities confirming that the existing high-pressure gas infrastructure is located within the site and it was confirmed that an easement along the pipeline provides for 6m either side of the pipeline to be kept clear of buildings, to ensure access and maintenance to the pipeline at all times. The applicants also consulted with The Health and Safety Executive whose guidance identifies consultation distances (measured from the centre of the pipeline) within which lie sub-zones named “Inner Zone” (IZ), “Middle Zone” (MZ), and “Outer Zone” (OZ). HSE bases its advice on land-use proposals on features of the proposal and how the site area lies in relation to these Land-Use Planning (LUP) Zones. These distances are as follows:

Inner Zone – 15m  
Middle Zone – 15m  
Outer Zone – 21m

5.11.2 As this is a development of more than 30 dwellings, the HSE would classify the development a Level 3 sensitivity. For a development with a sensitivity level of 3, HSE guidance suggests this type of development would be acceptable within the outer zone but would not be suitable within the inner or middle consultation zone. The developers considered various mitigation measures but decided that the site could be developed by leaving an area of 15 metres either side of the gas pipeline on which no houses would be constructed. This conforms to the HSE requirements and will also provide a green wildlife corridor through the centre of the site.

5.11.3 The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered using HSE’s planning advice web application, based on the details input on behalf of Sir Fynwy – Monmouthshire. Planning Officers ran the development proposal through the HSE’s web application plotting the position of the housing development and also the areas of landscaping. According to the advice in Annex 2 of An introduction and guide to HSE’s Planning Advice Web App, A Local Authority Guide v1.0, the definition of “landscaping” includes gardens, car parking areas, open spaces etc., associated with a development. It is considered to be areas where people are transient and do not congregate. The land on the northern part of the site was not classified as Outdoor Use by Public because according to the HSE definition this classification is for land where members of the public congregate in large numbers such as food festivals, picnic areas, outdoor markets, car boot sales, community and adult education, open-air theatres and exhibition, coach/bus/railway stations, park & ride interchanges, ferry terminals, sports stadia, sports fields/pitches, funfairs, theme parks, viewing stands, marinas, playing fields, children’s play areas, BMX/go-kart track, country parks, nature reserves and marquees. The use of the land on the northern part of the site is more closely aligned to the definition of Landscaping than it is for Outdoor Use by the public. Applying the app there are only 10 land uses to choose from and we have run it using the land use with the most appropriate definition. The Health and Safety Executive response is that they do not advise, on safety grounds, against the granting of planning permission in this case.

## 5.12 Flooding

5.12.1 A Flood Consequences Assessment and Drainage Strategy by Jubb Consulting Ltd, has been submitted as part of the application. It was prepared in accordance with the requirements of the current national planning policy and in particular the Technical Advice Note 15: Development and Flood Risk (TAN 15) published by the Welsh Government. The assessment examines key flood risk issues as they relate to the proposed residential development, and as such demonstrates its suitability for development in accordance with TAN 15 developing a full appreciation of:

- The consequences of flooding on the development
- Consequences of the development on flood risk elsewhere within the catchment for a range of potential flooding scenarios up to that flooding having a probability of 0.1%
- Establish whether appropriate mitigation measures can be incorporated within the design of the development to ensure that development minimises risk to life, damage to property and disruption to people living and working on the site or elsewhere in the floodplain.

5.12.2 The topography of the site results in the land falling away in a south-easterly direction with a difference in levels of about 20 metres. The lowest part of the site is the south-east corner reaching a level of 7.5m AOD. This part of the site is within a C2 flood Zone. This zone is classed within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines. The majority of the site is outside either of the flood zones and it is here that the houses would be built. The small area of the site which is in the flood zone will be an area of woodland with no houses or roads being located within the flood zone.

5.12.3 NRW acknowledges that there are two small areas of this site that fall in the C2 flood zone and that these areas at risk of flooding are currently woodland and grassland and that no new development is proposed for these areas. Given the small scale of these two areas and their retained use as woodland and grassland NRW did not require any further assessment or information regarding potential or consequences of flooding. NRW have no objection to the proposal on flood grounds given that no new development is proposed on the land liable to flooding. During the construction phase of the development the land may be compacted and this may alter the drainage on the land. It is important that this is addressed as part of the drainage details to be submitted with the reserved matters. The two small areas identified as being at risk of flooding will probably continue to flood during the winter months but the proposed development will not exacerbate this situation.

### 5.13 Impact on Caerwent and Other Heritage Assets

5.13.1 Local residents have expressed concern that the increase in traffic resulting from this development will have an adverse impact on the Roman remains at Caerwent. It is true that the development will generate additional traffic and that some is likely to exit the site and join the A48 travelling through Caerwent. The developers have amended their TA to address this point. At the crossroads in Caerwent a Classified Turning Count was undertaken on Wednesday 6th June 2018. It found the junction to be lightly trafficked even during the am and pm peak. Junction capacity modelling was undertaken and found that the junction was operating well. It is estimated that if 62% of the traffic generated by the new development resulting from this application would turn north on Church Road to travel to Caerwent rather than turning south toward Caldicot Town Centre, then the junction capacity would still be acceptable with only slight queuing and delays. The fact that there would only be slight queuing at this junction even at the peak times, is important as long delays could lead to air pollution which could affect the Roman Walls which are close to this junction. But given the very small increase in queuing traffic and the distance from the wall to the road there will be no damage to the walls as a result of this proposal.

5.13.2 Immediately to the south of the site is Caldicot Country Park and a designated Conservation Area. The edge of the proposed Housing Site is just over 100 metres from the boundary of the Country Park. Although it is proposed that there would be woodland planting along the southern boundary of the housing site, which will in part act as a buffer, the proposed development would be visible from parts of the Castle and Country Park. However, these views would be against the backdrop of other modern housing developments, and consequently are not considered to significantly impact on the setting of historic importance of the castle, or on the amenity or relative tranquillity of the Country Park. MCC Heritage Officers have assessed the impact that the proposal will have on the Caldicot Conservation Area and all the listed buildings within a 1 km radius of the site. They found

that apart from Caldicot Castle, all of the other listed buildings sit within an existing urban environment; and is considered the development will not have a detrimental impact on the special architectural or historic interest of the buildings. From Caldicot Castle, northbound views from the tower sections contain a mixture of rural and urban landscape vistas. Elements of the proposed development will be visible from the north tower, but due to the enclosing nature of the castle grounds and mature vegetation surrounding the park, soft landscaping mitigation can screen the potential loss of views from the tower. It is considered that such impact is negligible.

5.13.3 It is also considered the development will not have a detrimental impact on the character of the Conservation Area. The north-west is an urbanised view and Caldicot Castle Park is relatively screened with existing mature growth. The development would be established from the area as a further urban extension, potential impacts can be further mitigated via soft landscaping which will mature in time to provide coverage. The proposed housing development would preserve the character and appearance of the Caldicot Conservation Area and would not have an adverse impact on significant views into or out of the Conservation Area or on significant vistas within it. The proposal therefore accords with the objectives of Policy HE1 of the LDP which relates to Development within Conservation Areas.

#### 5.14 Ecology and Impact on the SSSI

5.14.1 An assessment titled Church Farm, Caldicot Ecological Appraisal prepared by The Environmental Dimension Partnership Ltd on behalf of Harvington Properties Ltd dated May 2018 was undertaken and submitted as part of the application. It looked in detail of the impact of the proposal on the Nedern Brook Wetlands SSSI which has been designated for its breeding and wintering bird assemblages. The interface between the SSSI and the plantation woodland east of the southern and the broadleaved woodland north east of the of the northern fields sits above a steep cliff formed by a limestone outcrop. The Ecological Assessment considered the ecological implications of development on the site through a Desk Study, an Extended Phase 1 Habitat Survey and further detailed surveys for breeding and wintering birds, bats, badgers and Great Crested Newts. Both MCC Biodiversity Officers and NRW reviewed the Assessment.

5.14.2 NRW welcome the Ecological Appraisal and agree that, provided the measures set out in the Ecological Appraisal are implemented, the proposal will not have significant impacts on the nearby Nedern Brook Wetlands Site of Special Scientific Interest. NRW also suggest that a notice board is produced by the applicant to educate home owners of the potential disturbance that could be caused to wintering birds by activity on the SSSI. They suggested a Construction and Environmental Management Plan (CEMP) condition to manage the generation of contaminated materials during construction that could result in pollution to ensure adequate protection of the water environment. MCC officers consider that this is necessary and could be secured by condition.

5.14.3 NRW also suggested that a Landscape Ecological Management Plan (LEMP) should be secured by condition. MCC do not consider that the LEMP is necessary as the as the detailed landscaping issues will be covered in the Green Infrastructure Management Plan to be submitted alongside the reserved matters submission which will cover long term management of the site. There is an existing strip of woodland extending down the eastern side of the site, this will be retained and will act as a buffer between the SSSI and the housing development, NRW identify the main issues affecting the SSSI are the disturbance of birds from dog walkers and the water quality of the Nedern Brook. The ecological appraisal submitted by the applicants considers how to avoid and mitigate these disturbance pressures, these include the creation of the community park away from the SSSI and interpretation boards advertising local walks and directing recreational activities away from

the SSSI. NRW are satisfied that provided that the measures set out in the ecological appraisal are implemented fully, the proposal will not have a significant impact on the SSSI. In addition to the interpretation boards, NRW advise that notice boards are produced to educate home owners and potential dog walkers of the disturbance they could cause to wintering birds.

5.14.4 Some local residents have expressed concern regarding the loss of the application site for dog walkers and those wishing to use the public right of way to walk in the countryside will result in walkers being forced to walk in the SSSI, causing harm to the wildlife. Although the public right of way through the site would be retained, albeit likely diverted to follow the road network through the site, it is acknowledged that this section would no longer be a countryside route. However, as part of this application, the applicant is providing a 2.82 hectare area of open space in the northern part of the site, to be gifted to the Council as a community park. There would also be 0.92 ha of woodland with public access.

5.14.4 The majority of the existing hedgerows and woodland on the site will be retained and incorporated into the scheme. Protection and long term management of these will need to be secured via the GI Management Plan. These should not be included within the ownership of individual plots and adequate buffer strips to allow maintenance will need to be incorporated. MCC officers are satisfied that there will not be a significant loss of priority species from the site. The development will however result in the loss of grassland habitat. This includes poor semi-improved grassland and improved grassland of low intrinsic value. This is offset by the open space to be provided to the north which will include grassland managed for biodiversity and public enjoyment and would include species rich grassland and will compensate for the wider loss of grassland.

5.15.5 At least ten species of bat were recorded using the site. The Council's ecologists disagree with the approach of clumping Myotis species together as it has the potential to skew the value of the site but based on the proposals and the availability of foraging / commuting habitat and ecological connections wider in the landscape, the scheme should not have a negative impact on local bat populations. The reserved matters plans should show roosting opportunities for crevice dwelling bats incorporated into the scheme.

5.15.6 The site is currently a home to The Hornet Robber Fly which is Priority Species. As part of a previous application for the adjacent housing development, a section 106 agreement required that the current application site and adjoining field be grazed by cattle to ensure sufficient dung was available for the Robber Fly. A similar approach will be taken here. The applicant owns the surrounding fields to the east of the site and is prepared to enter into agreement that he will continue to graze cattle on the land for the next 10 years. The Hornet Robber Fly is presumed to be inhabiting the development site and this species has been listed as a species of Principal Importance

## 5.16 Green Infrastructure

5.16.1 Policy GI1 of the LDP states that development proposals will be expected to maintain, protect and enhance Monmouthshire's diverse green infrastructure network by ensuring that individual green assets are retained where possible and integrated into the new development. Developments should incorporate new and/or enhance green infrastructure of an appropriate type, standard and size. In this case, there is a substantial area of mature woodland along the northern boundary of the site, and this will in part help to screen the proposed development from views when travelling west along the M48 Motorway. The development will still be visible from the M48, but just because something can be seen does not mean it is harmful or unacceptable. The belt of trees will be retained as part of the development, adopted by and maintained by MCC. There is also existing woodland to the

east of the site, and this being retained will help to protect the SSSI from the impacts of the development by providing some screening. It is acknowledged that one of the primary characteristics of the SSSI relates to over-wintering birds, and that the woodland is deciduous, however the separation distance and level of screening are considered to be sufficient. The Landscape Plan shows enhanced tree planting along the eastern boundary of the development site. The existing hedgerows on the site are to be retained and incorporated into the scheme design. There will also be tree planting though the developable part of the site. The community park proposed for the northern part of the site will provide biodiversity opportunities and informal recreational provision. There will be a green corridor through the site, following the line of the gas pipeline. Other green corridors will be provided running east/west. In total approximately 50% of the site will be retained as green space. The details of this will be drawn up as part of the reserved matters but a Landscape Master Plan is being considered at this stage.

### 5.17 Landscape Impact

5.17.1 A Landscape and Visual Appraisal (LVA) was submitted as part of the application and further work was undertaken during the course of the application. As a result of this further information the Landscape and Visual Appraisal (LVA) was revised and became a Landscape and Visual Impact Assessment (LVIA). The site does not sit within any local or nationally designated landscape, although Caldicot Castle Country Park does lie to the south of the site. The site has been identified by LANDMAP as being of high value for historic and geological landscape and of moderate value for visual and sensory, cultural and habitats landscape. This type of landscape is relatively common in Monmouthshire. The LVA found that the site has limited visibility from the surrounding area and is not visible from more than 1 km from the site. The existing vegetation and topography do partially screen the site when viewed from the wider landscape. The development will be seen against the existing built form of development which makes up the north-eastern part of Caldicot Town. MCC's Landscape Officer does not object to the findings of the LVIA.

5.17.2 Policy LC1 of the LDP presumes against new built development in the open countryside unless it can be justified under national planning policy or other LDP policies. In this case there is an overriding justification for new housing development, but in such exceptional circumstances, the new built development will only be permitted where all the following criteria are met:

- a) the proposal is satisfactorily assimilated into the landscape and complies with Policy LC5;
- b) new buildings are wherever possible located within or close to existing groups of buildings;
- c) the development design is of a form, bulk, size, layout and scale that respects the character of the surrounding countryside; and
- d) the development will have no unacceptable adverse impact on landscape, historic / cultural or geological heritage, biodiversity or local amenity value.

5.17.3 The LVIA submitted by the applicants found that "overall the proposed housing scheme will result in a major - moderate adverse level of effect upon landscape character of the site itself – due to a land-use change from greenfield to residential. It is predicted that the wider landscape (including the LANDMAP aspect areas and adjacent landscape setting) will experience no more than a minor level of change, with the addition of the proposed scheme perceived to be a logical rounding off of infill along this edge of Caldicot by creating a settlement edge with more organic character." Specific viewpoints were identified and the report found that those receptors anticipated to experience the most visual change, were those in close proximity to the site. These are the public footpath crossing the site, the public footpath to the south of the site and the existing dwellings on the site's western and southern boundary. Here there was anticipated to be a major to moderate level of visual effect. It is from these public footpaths and existing dwellings where the impact will be the greatest as

the land immediately adjacent will turn from greenfield to housing development. This impact will only affect the immediately adjoining residents and users of the footpath. This is a relatively small number of people affected and will have the same level of impact as when those existing houses were built in the last 10 to 15 years. Some residents have expressed concern that, when purchasing their homes, searches showed this site was not included within the current LDP. This concern is acknowledged, and it is accepted that a negative consequence of considering sites outside of the adopted LDP is this change in circumstance. However, as set out in the report to Council on 20th September, on balance this negative impact is considered to be outweighed by the benefits of delivering much needed housing and affordable housing. Moreover, had the alternative approach been taken by Council, and a decision made to reject all applications for unallocated sites, instead dealing with the identified issues in the new LDP, the outcome would essentially be the same; namely, this site would be proposed for inclusion in the LDP, based on our assessment for this application. The strong likelihood is it would be allocated in the new LDP.

5.17.4 The effect on the wider landscape will be less pronounced as the intervening vegetation, notably a substantial and well-established tree belt will restrict long distance views of the site. Beyond the site boundary views of the proposed scheme from public rights of way, road, commercial and play receptors surrounding the site will be in part filtered by the existing topography and vegetation. The proposed planting and green open spaces within the site itself including the Country Park on the northern and highest part of the site will also help to reduce the visual impact of the scheme. The main adverse effects expected as a result of the proposed site are partly mitigated through a number of strategic measures including the retention and management of the existing tree belt which runs through the site from north-west to south, the provision of the community parkland to the north of the site and green corridors along existing pipelines crossing the site. All this is designed to give a softer settlement edge than that which currently exists. The Council's Landscape Officer has not objected to the findings of the submitted LVIA. The site might be seen when traveling west along the A48 but this will only be a glimpse and the development will be interspersed by planted vegetation and will be seen with the background of existing and recently completed residential development. There are no specific landscape designations such as an Area of Outstanding Natural Beauty or National Park close to the development site that require additional consideration (the Country Park and Castle having been considered above). It is considered that for the reasons outlined above the proposal will be satisfactorily assimilated into the wider landscape and will have no significant adverse impact.

5.17.5 The proposed development will be located on the edge of an existing settlement adjacent to the recently completed housing development on Clos Ystwyth, Heol Sirhowy, Heol Glaslyn and Heol Towy. The application site is not set in isolated countryside away from any other form of built development. In fact it relates well to the existing settlement form. The detailed layout and design of the proposal will form part of the reserved matters submission but with careful design the development will have no unacceptable adverse impact on the landscape, historic, cultural or geological heritage, biodiversity or local amenity value. The proposal therefore accords with the objectives of Policy LC1 of the LDP.

Policy LC5 of the LDP states that development proposals that would impact upon landscape character, as defined by LANDMAP Landscape Character Assessment, must demonstrate through a landscape assessment how landscape character has influenced their design, scale, nature and site selection.

Development will be permitted provided it 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 by:

- a) Causing significant visual intrusion;
- b) Causing significant adverse change in the character of the built or natural landscape;
- c) Being insensitively and unsympathetically sited within the landscape;

- d) Introducing or intensifying a use which is incompatible with its location;
- e) Failing to harmonise with, or enhance the landform and landscape; and /or
- f) Losing or failing to incorporate important traditional features, patterns, structures and layout of settlements and landscapes of both the built and natural environment.

Particular emphasis will be given to those landscapes identified through the LANDMAP Landscape Character Assessment as being of high and outstanding quality because of a certain landscape quality or combination of qualities.

5.17.6 In this case a LVIA has been submitted as part of the application. It concludes that:

“Overall, the proposed development is considered to be a logical extension of Caldicot. It shares the same topographical context and character as the rest of the eastern parts of the town; it comprises undesignated land of the same use and character, as have previous extensions to the town which have been considered acceptable. There are no landscape features within the site which are especially rare or special that would suggest development would be inadvisable, much less precluded as a matter of principle. The proposal retains and reinforces wherever possible the best on-site vegetation. The position of the tree belt, which defines and visually reinforces the boundary between Caldicot and the Nedern Brook is especially significant. It is already effective at containing the current leading edge of Caldicot and conserving the visual integrity/openness of the Nedern Brook valley. Some harm would accrue nonetheless in both landscape and visual terms. The loss of the site’s openness and farmland character represents a degree of harm, but not at a level which ought to preclude development given the site’s undesignated status and otherwise perfectly ‘representative’ visual character. Local residents with homes overlooking the site will lose their attractive views over the site; while no doubt valued by them, their homes occupy land which, not that long ago, was of the same character. There would also be some harm to the user-amenity and open character of footpaths through the site. This is compensated for – if not on a like-for-like basis, by the delivery of an area of community parkland. Overall however, and having particular regard to the spatial logic of this site as a potential extension to Caldicot, together with the mitigating effects of the already mature tree belt, EDP concludes that there are no landscape-related grounds which are so significant that they should preclude planning permission.”

5.17.7 It is recognised that there would be a change to the landscape character on the site itself and upon the land immediately adjacent to the site but that this impact would not be so great when considered in relation to the wider landscape of the area. The proposal would not cause significant visual intrusion on the wider landscape due to the existing mature woodland on the eastern part of the site and the proposed green spaces within the site. The proposal would not cause a significant adverse change in the character of the built natural landscape given that the site is adjacent to the built form of Caldicot and will be seen against a backdrop of existing residential development. The proposed housing development with its green corridors and open parkland is sympathetic to its surroundings and is compatible with its location. The proposal therefore accords with the broad aims and objectives of Policy LC5 of the LDP.

## 5.18 Outdoor Recreation Provision

5.18.1 Policy CRF2 of the LDP considers Outdoor Recreation/Public Open Space and Allotment Standards and provision. It states that proposals for new residential development should provide appropriate amounts of outdoor recreation and public open space in accordance with the National Playing Fields Association minimum standards and make provision for allotments. In this case, it is proposed to provide a 4 hectare community park in the northern part of the site. This would contain informal areas for play and a circular walking path which could link into the two existing footpaths that cross the site. In addition



there would be a 30 metre wide strip through the centre of the site, either side of the gas pipe line which would not be developed by housing and would be planted as a green corridor. Informal play facilities could also be provided in this area. There are several Local Areas for Play (LAPs) and a Local Equipped Area for Play (LEAPs) on the adjacent development. It would be more beneficial to the existing residents as well as the occupiers of the new development, to upgrade the existing play facilities in the area rather than creating more LAPs on the proposed site. This would provide a better overall provision within the locality, and help integrate the new development as part of the existing community. Overall, over half of the site will be retained as green open space for the public to enjoy. The proposal does not include provision for any allotments. As per the requirements of Policy CRF2 the outdoor recreation and public space is being provided within the site in line with the NPFA standards and this will have benefit to the local community. The scheme will provide significantly more than the 0.5 hectares of informal open space and 1.6 hectares of adult outdoor recreational space. The proposal exceeds the requirements set out in Policy CRF2 of the LDP. A financial contribution of £25,000 will be required for the installation of informal play equipment in the community park. This could include a Trim Trail and wooden logs. In addition, there would be requirement for a commuted sum of £233,152 for the maintenance of the community park for 20 years. A sum of £1566.00 per market dwelling would also be required to offsite recreational facilities. This money could be used to fund facilities including the Caldicot Greenway Scheme, Caldicot Castle Country Park, Hall Park Open Space and the Caldicot Town Centre Regeneration Project.

#### 5.19 Residential Amenity

5.19.1 The impact of the proposal on residential development can be divided into two distinct parts. Firstly the physical impact of the development on the existing residential properties immediately adjacent to the application site and secondly the impacts on the local area from increased traffic generation. Many of the properties along Clos Ystwyth, Heol Sirhowy, Heol Glaslyn and Heol Towy actually abut the development site. There is an existing footpath between Heol Towy and the development site and this would be retained giving a green buffer between the existing houses and the proposed housing. Many of the properties along Clos Ystwyth, Heol Sirhowy and Heol Glaslyn have their rear gardens abutting the development boundary. When designing the layout for the reserved matters, consideration will be given to maintaining privacy distances between the existing and the proposed dwellings. It would also be ensured at that stage that the proposed dwellings will not have an overbearing impact on the residential amenity of the occupiers of the existing properties. There is no justification for requiring a tree buffer to be planted on the western boundary of the proposed site between the existing and proposed dwellings and this request, coupled with the requested maintenance strip, all in public ownership, would create a potential no-man's land between the new and existing homes which is not considered to be desirable. Adequate protection of residential amenity can be achieved through good design. The objectives of Policies DES1 and EP1 of the LDP will be considered with the reserved matters but the site is certainly capable of delivering these.

5.19.2 With regards to impact of the proposed development on the local area as a result of increased traffic generation, there will inevitably be more traffic moving through the area and this will generate more noise. The TA, however, has demonstrated that the road network is capable of accommodating the increase in traffic. The increase in noise and disturbance along the existing residential streets over and above that already generated will not be so great as to justify refusal.

#### 5.20 Archaeology

5.20.1 An archaeological assessment (EDP, dated November 2017) and a geophysical survey (SUMO Services Ltd, dated December 2017) were completed. Based on the results,

a field evaluation was conducted by GGAT Projects in February 2018 (Report number 2018/006).

5.20.2 The proposal is located in an area of high archaeological potential. Extensive archaeological remains are located in the vicinity, including Romano-British farmsteads and land divisions, roundhouse, prehistoric pits and ditches, Roman cremations, as well as possible loom-weights. Several Scheduled Monuments are also located in the area, including a motte and bailey (The Berries, MM026), Caldicot Castle (MM050), Manor Farm (MM053) and a Romano-British farmstead (MM334).

5.20.3 The geophysical survey noted several anomalies that may represent archaeological features. Whilst the majority were located in areas that would be preserved as 'Community Parkland' within the proposal, a potential linear feature was evaluated by two trenches. No evidence of the geophysical anomaly was apparent during the field evaluation, although a north-south rock-cut feature was exposed and recorded. This feature was not apparent on the geophysical survey.

5.20.4 There are significant archaeological remains in the vicinity. There is the potential for similar remains to extend into the currently proposed development area. It is clear that in at least one instance, there are archaeological features present that are not apparent on the geophysical survey. GGAT has no objections to the proposal subject to a condition being imposed should planning permission be granted, requiring a written scheme of investigation for a programme of archaeological work to protect the archaeological resource.

#### 5.21 Public Rights of Way

5.21.1 There are two public footpaths crossing the site and these are both currently well used. The majority of the existing footpath length is in the area of the proposed country park and their alignment not be affected by the housing development. Part of one footpath does cross the developable area and its alignment may have to be altered as a result of the detailed layout of the housing site. Given the amount of green open space proposed for the site and the fact that there will be several green corridors running through the site, there will be plenty of scope to have the footpath separated from vehicular traffic and provide a pleasant link through the development. The exact position of this footpath will be determined with the reserved matters and if necessary, a diversion order will be required.

#### 5.22 Advertising the application

5.22.1 Under the provisions of the Town and Country Planning Development Management Procedure (Wales) Order 2012, this application needed to be advertised as being a Major Development, a Departure from the Development Plan and a Development Affecting a Public Right of Way. Several site notices were displayed stating that the application was a Major Development and that it was a Departure from the Development Plan. The application was also advertised in the local press as being a departure but the application was not initially advertised as Affecting a Public Right of Way or as being a Major application in the press. It was advertised as Affecting a Public Right of Way on site on the 23/10/18 and in the press on 31<sup>st</sup> October 2018. Therefore, the 21 day period for representations to be received has not expired at the time that Committee considers the application. No responses have been received to date, but if any are received between now and the time that the application can be determined that raise fresh, material issues they will be reported to the Council's Member Panel (which comprises the Chair and Deputy of Planning Committee and the Opposition spokesperson) for consideration. This would be done before the final decision is issued (whether Committee decides to approve or refuse the application).

## 5.23 Economic Development Implications

5.23.1 There are economic development implications stemming from this development, most notably the jobs created during the construction phase when the houses and roads are being built. Obviously, this is a temporary benefit. Longer term, these houses will provide homes for people who may want to work in the area and in a small way will contribute towards growing the County's economic base. Future residents are also likely to use and support businesses within the town centre and local leisure amenities.

## 5.24 Response to the Representations of the Community/Town Council and other issues raised

5.24.1 Caldicot Town Council raised the issue that the site is not allocated within the LDP and that there is insufficient infrastructure provision within the Caldicot area. These matters have been addressed in detail in the report above.

5.24.2 Caerwent Community Council is concerned about the impact on increased traffic through the village of Caerwent. Again this has been discussed in detail within the main body of the report and reference has been made to the additional information appended to the TA which was submitted to address the traffic issues in Caerwent especially at the crossroads.

5.24.3 Most of the issues raised by local residents have been addressed in the main body of the report. This development is proposing a maximum increase of 130 dwellings into the town of Caldicot; the resultant traffic will not be so great as to impact on the air quality of Caldicot or the wider area. The impact of the proposal on the Severn Estuary SAC, SPA and RAMSAR have been considered as part of the submitted Ecology Appraisal which is available to view on line. The lack of investment in Caldicot in terms of roads and footpaths is not of immediate concern to this development but we have passed these concerns onto our colleagues in the Highway Department. Members may be aware that town centre regeneration proposals are currently being drawn up, part of which includes public realm improvements at The Cross, with improved linkages from the town centre to this area of Caldicot and to/through the castle grounds. Disruption during the construction phase of development is temporary and would not be grounds to refuse an application. There will be no loss of public rights of way - the existing ones will be retained on site and additional footpaths will be provided. The existing footpaths will be incorporated into the layout and design of the site.

5.24.4 The submitted documents were not translated into Welsh but it was made clear at the public meeting that if any resident wanted to request in writing that any specific document be translated then we would arrange for this to be done. Caldicot does not have a high percentage of Welsh speakers and building more homes in the area, even if many are occupied by people moving into the area from across the border, will not materially alter the linguistic balance of the town or harm the Welsh language.

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

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

## 5.26 Conclusion

5.26.1 Although this site is not allocated in the LDP as a new strategic housing site and is not within the Town Development boundary, it does conform to the strategy outlined in the report "Addressing our lack of 5 year land supply: Monmouthshire's Approach to Unallocated Sites", which seeks to establish the Council's decision on the weight to be given to our housing land supply shortfall. This report was agreed by Council in September 2018. There is a significant shortfall of housing development within the south of the county and this proposal would help to meet that shortfall. The site conforms to the Council's other strategic housing policies of concentrating new housing development in major towns and Severnside Settlements. This is a sustainable location on the edge of a settlement within walking distance of community facilities and with good public transport links. The proposed development complies with the 'ground rules' set out in the Council report.

## 6.0 RECOMMENDATION: APPROVE

Subject to a Unilateral Undertaking Legal Agreement requiring the following:

### 1 Affordable Housing

35%, DQR, Tenure Neutral.

Triggers: The Landowner covenants not to occupy or permit first occupation of more than 80% of the market housing until all of the affordable units have been constructed and are ready for occupation.

No need for a viability review as they are providing 35% which is policy compliant and that the AH be provide in 3 separate parcels.

### 2. Education

There is a shortfall of 20 places this needs to be provided in the form of a financial contribution to be used to provide extra school places in the most expedient locations within Caldicot to ensure there are sufficient school places to accommodate the children forecasted to be generated. Cost of 20 spaces at £17,257 = £345,140

Triggers 50% prior to 50% of market housing being occupied  
50% prior to 80% of market housing being occupied

### 3. Access and Green Transport

A financial contribution towards local highway & transportation improvements in Caldicot.  
£130,000

40% contribution on the occupation of 50% dwellings

60% contribution on the occupation of 80% dwellings

### 4. Primary Heath Care - no need for a financial contribution.

### 5. GI and Biodiversity.

Area of Land to adopted by MCC for public open space to be shown on a plan and 20 years of Maintenance cost added.

Net Developable £233,152.61 inclusive of inflation. Maintenance for 20 years

Land for grazing of Robber Fly. A management plan for 10 years to include cattle grazing of the remaining land in Mr Heaven's ownership. The management plan will need to specify stocking densities etc. and will need to reference the habitat improvements that will be undertaken on site.

Contribution of £5,000 for delivery of a Green Infrastructure Management Plan to be delivered through the Council for the areas of adopted POS.

Access from point A on the 106 plan to the land which will be transferred land edged purple. Seller will need access for retained land.

The Council is pursuing a centralised play strategy and will not be seeking formal on site play equipment however contribution of £25,000 towards informal on-site wild play in the parkland/ woodland area is sought. A trim trail and other informal structures.

A contribution of £1,566 per market dwelling is payable to help support connections to this on site recreational resource.

It is anticipated that this would cover one or a combination of the following:

- Caldicot Greenway Scheme – linking Caldicot via the castle to Caerwent/Crick at the A48 by utilising the former MOD railway line – as per the Sustrans report commissioned previously from another of the Church Road developments;
- Caldicot Castle Country Park – which is an MCC managed site adjacent to Church Road and a major recreation provision in the local area;
- Hall Park Open Space, providing another pedestrian walkway/cycle path to Caerwent (from behind Castle Park Primary School up through the open space to Sandy Lane at the top end of the open space), which then forms a footpath link through to Caerwent under the M4 motorway.
- The Caldicot Town Centre Regeneration Project – relating to connectivity to /from the Cross Street scheme.

If the Agreement is not signed within 6 months of the Planning Committee's resolution then delegated powers be granted to officers to refuse the application.

### **Conditions**

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

REASON: The application is in outline only.

2. (a) Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of 12 months from the date of this permission.

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

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

3. No development shall take place until the applicant or his agent or successor in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

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.

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

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

5. The Reserved Matters pursuant to the layout of the proposed development shall ensure that the internal estate roads and footways shall be designed and laid out to facilitate the future connection of the desirable secondary means of access if so required by the Highway Authority at a future date.

Reason: To provide for a secondary vehicle access at some time in the future.

6. The details submitted pursuant to the Reserved Matter for landscaping shall reflect the guidelines set out in the Landscape Schedule/ GI Framework Plan and GI Masterplan in addition to providing details incorporating all strategic planting and open space and design principles 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 ensure the provision afforded by appropriate landscape design and Green Infrastructure in accordance with policies LC5, S13, and GI1 and NE1.6.

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

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

REASON: To ensure the provision afforded by appropriate landscape design and Green Infrastructure in accordance with policies LC5, S13, and GI1 and NE1.6.

#### 8. LANDSCAPE WORKS IMPLEMENTATION

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

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

#### 9. LANDSCAPE MAINTENANCE

A schedule of landscape maintenance for a minimum period of five years or until the areas are passed to the council for adoption, whichever is the sooner, shall be submitted to and approved by the Local Planning Authority and shall include details of the arrangements for its implementation this shall be integrated into the GI management Plan.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features.

10. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of "biodiversity protection zones";
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and
- h) Use of protective fences, exclusion barriers and warning signs.

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

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

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

11. 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 a satisfactory form of development takes place.

12. There shall be no built form of development within either side of a 15 metre easement from the centre line of the high pressure gas main that crosses the site.

REASON: In the interests of public safety.

13. 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.

Informative.

Wales and West Utilities has pipes in the area, the apparatus may be affected and at risk during construction works. Should planning permission be approved the developer should contact Wales and West Utilities directly on any plant or enclosure apparatus to discuss details of their requirements before any works commence on site. Development will not be allowed on any plant or enclosure apparatus.