

DC/2017/00539

OUTLINE PLANNING PERMISSION FOR THE CONSTRUCTION OF UP TO 70 DWELLINGS, OPEN SPACE, PLAY SPACE PROVISION, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE

LAND WEST OF ROCKFIELD ROAD, ROCKFIELD ROAD, MONMOUTH NP25 5DS

RECOMMENDATION: APPROVE

Case Officer: Jo Draper
Date Registered: 23rd May 2017

1.0 APPLICATION DETAILS

1.1 The application site measures approximately 2.86 hectares situated on the north western edge of the main town of Monmouth. The site is an undeveloped, greenfield site with established hedgerow/tree belts running around the perimeter of the site.

1.2 This application is in outline with all matters reserved for subsequent approval with the exception of access which proposes a priority junction at a central location into the site from Rockfield Road. In addition to a plan showing the proposed access into the site from Rockfield Road, the application was accompanied by various documents and reports including a layout plan for up to 70 dwellings which also indicated internal access roads, areas of open space and landscaping and a surface water attenuation pond.

1.3 The appeal site lies adjacent to, but outside, the Town Development Boundary for Monmouth and is therefore classed as open countryside for planning policy purposes.

1.4 The site's southern boundary runs adjacent to the curtilage of residential properties situated on Hamilton Way, Levitsfield Close and Trafalgar Close, which form the northern extent of the Rockfield Estate. The western boundary is the public footpath. The field to the west of the public footpath forms the remainder of the land included in the wider site controlled by the applicants, HLM. It makes up the difference in site area between the subject application and the July 2016 scheme. The western field runs adjacent to the Charles Church development at Parc Glyndwr, which extends the northern extent of the Rockfield Road estate in this location. Both residential areas form the foreground and backdrop in which the site will be viewed from surrounding viewpoints to all orientations. The eastern boundary of the site is formed by Rockfield Road (B4233) with Ancre Hill Vineyard beyond this to the east. The northern boundary comprises a mature hedgerow with fields beyond. A residential property (Newbold's Paddock) adjoins the north eastern corner of the site. To the north and north-east of the site there is open countryside with individual farms and associated agricultural land characterising this area. (To the north, north-west and west of the site, outline planning permission exists for the construction of a hotel, conference centre and leisure facility). Finally, the site is bounded to the east by the B4233 Rockfield Road.

1.5 Along the eastern boundary of the site, between the hedgerow and Rockfield Road, is a drainage ditch which runs underground at the point of the roundabout leading into the Rockfield Estate. A fenced public footpath runs (in a north-south direction) across the western boundary of the site. The footpath connects with an existing public footpath route (footpath ref. 127) within the Rockfield Estate, between Trafalgar Close and Levitsfield Close. A vehicular access point from Rockfield Road and leading into the field is situated within the north eastern corner of the site, immediately to the south of Newbold's Paddock.

1.6 Currently to the east of the site, the road is subject to a 30mph speed restriction. However, from the eastern boundary of the application site westbound, the national speed limit (60mph) applies. The closest bus-stop to the site is at the junction of Rockfield Road and Rolls Avenue, which is approximately 500m from the proposed access to the site from Rockfield Road. However, the local service (W5) is a 'hail and ride' service that residents can access with an hourly service from 08:30 until 17:00 Monday to Saturday.

1.7 This site was subject to a previous planning appeal for 147 dwellings. That appeal was dismissed in January 2014. The Inspector concluded in the Appeal that *"although the appeal proposal would extend the built development further along Rockfield Road, I consider that with the retention of the public footpath, appropriate landscaping to supplement the existing boundary hedges and the sensitive siting of the dwellings along the road frontage, the development could be designed to ensure that it could be sensitively integrated into its surroundings. On this basis, I consider the development would not have a serious harmful effect on the SLA and would accord with Policy C3 of the UDP."* The Appeal was refused for the following reason: *"In view of the imminent publication of the Inspector's report which will address the issue of housing land supply in the wider context, I consider that the refusal of the appeal on grounds of prematurity is justified"*.

1.8 The current application proposal is a direct response to the ongoing negotiations with the Council and Welsh Water (WW) in relation to the July 2016 application (DC/2017/00870 for 130 dwellings). WW have confirmed there is readily available foul drainage capacity to support the development of up to 70 dwellings on the HLM land as a whole. The applicants have stated in the supporting information that the scale of the proposal is directly commensurate with the foul drainage capacity identified. Hence this application aims to secure outline planning permission on only part of the wider HLM land for a scale of development directly commensurate with the available foul drainage capacity. It seeks permission to do so in a manner that is consistent with the planned development for up to 130 dwellings on the wider land controlled by the applicant. The parallel application that relates to the larger 130 residential unit site (DC/2016/00870) is still current (i.e. undetermined) as work is being undertaken to identify if there are solutions relating to the foul drainage that enables the remaining intervening parcel to come forward for a further 60 dwellings (the applicant is also continuing to work with WW on the identification of additional foul drainage capacity to service up to 130 dwellings on the wider land in their control. HLM have agreed to instruct the appropriate hydraulic modelling assessment (HMA) required by WW to identify additional foul drainage capacity and a pragmatic solution to the identified constraints).

1.9 The supporting information that has been submitted as part of this application states that the proposal seeks to achieve the following Design Principles that have been identified in brief below:

- It will ensure an enhancement of the urban realm along the north western entrance to the town through the creation of a softer edge.
- A simple priority junction from Rockfield Road respects the technical solution agreed during the course of the previous application at the site. It is consistent with the character and function of the site and existing road network. Moreover, it minimises the impact on the eastern hedgerow and soft landscape context of the site. This is further enhanced by a 10m buffer between the boundary and any built development.
- This approach is replicated along the northern boundary of the site, ensuring it is defined by a strong green infrastructure corridor in recognition of the landscape character of the site. Concentrating the residential provision into a single development parcel set back from the northern and eastern landscape corridors and easily connected to the footpath along the western boundary responds positively to the landscape features of the site. It delivers integral and highly accessible open space that benefits from excellent natural surveillance.

- The emphasis on the footpath promotes connectivity with existing residential properties in the Rockfield Estate and the countryside to the north. In transport terms, the layout is logical. It responds to the existing features and character of the site, as well as established development nearby. Moreover, it does so in a manner that complements the potential for up to 130 dwellings on the wider HLM controlled land in the future.

- A comprehensive SuDS system using existing watercourses and ditches as features of the site complements this approach. Topographically, the logical location of the main attenuation basin is the south eastern corner of the site. This location ensures a positive relationship with the retained and improved boundary hedgerow in this area of the site.

In addition to this the Council have undertaken further discussions to improve the Green Infrastructure on the site facilitating permeability between this site and the neighbouring sites both north south and west of the site.

The changes that have been secured to this planning application are as follows:

- The inclusion of a community orchard. Community food growing to form part of the open space / play provision. Orchard trees or other non-allotment community food growing opportunities to be incorporated through a linear community orchard between the developable area and the 'Future Development Land'

- Offsite contribution to a central Rockfield Estate community food growing initiative

- Creation of links to improve permeability between existing residential sites and the new site and surrounding open countryside through footpath links; this takes into account the following options :

(i) The path that comes into the site from the south to be a 'multiuser' path; this is to connect to the interior of the site to provide connectivity.

(ii) Access (pedestrian gate) to be provided into the 'Future Development Land' with potential informal connection to Catherine Close (Charles Church site), with a gateway that facilitates informal access on the south western boundary of the site from the public footpath that traverses the site north-south. The boundary that runs along the north east boundary of the Charles Church Site is to be transferred to the ownership and control of the Council; this will enable a gateway to be inserted in this boundary which will facilitate informal access between the application site and the Charles Church site, increasing permeability on an informal basis. It is the intention of the developer if this site is approved that the remaining portion of the land can come forward and these links will be secured as an integral part of the Green Infrastructure proposals to link the surrounding development with the adjacent residential development. This will also tie in with the creation of an access point at the north-west of the site to create a new access point to facilitate future links with Offa's Dyke Footpath which is an important external connection.

(iii) Retain the small LAP provision on the Rockfield West site as an informal seating area to be used alongside/ in conjunction with the community orchard and food growing initiative

(iv) The LEAP has been deleted and replaced with an off-site open space contribution to be used to serve a more strategic central open space serving the whole of the Rockfield Estate.

2.0 RELEVANT PLANNING HISTORY

DC/2008/00576 Outline Residential Development Appeal against non-determination
Appeal Dismissed January 2014

DC/2016/00870 Outline planning permission for the construction of up to 130 dwellings,
open space, play space, play space provision, landscaping and associated infrastructure.
Current

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

- S1 – Spatial Distribution of New Housing Provision
- S3 - Strategic Housing Sites
- S4 – Affordable Housing
- S5 – Community and Recreation Facilities
- S12 – Efficient resource Use
- S13 – Landscape, Green Infrastructure and the Natural Environment
- S16 - Transport
- S17 – Place Making and Design

Development Management Policies

- DES1 – General Design Considerations
- EP1 – Amenity and Environmental Protection
- SD2 – Sustainable Construction and Energy Efficiency
- SD4 – Sustainable Drainage
- LC1 – New Built Development in the Open Countryside
- LC5 – Protection and Enhancement of Landscape Character
- GI1 – Green Infrastructure
- NE1 – Nature Conservation and Development
- MV1 – Proposed Developments and Highway Considerations
- MV2 - Highway Considerations and Sustainable Transport
- CRF2 - Outdoor Recreation/Public Open Space/Allotment Standards and Provision

4.0 REPRESENTATIONS

4.1 Consultations Replies

Monmouth Town Council: Refuse

- Excessive pressure on infrastructure and schools
- Sewerage takes only 70 houses
- Over-development of the site
- Too much pressure on road system
- 5 year supply fallen below; Monmouth has met its requirements with Wonastow

Welsh Water: Acknowledge application submitted in response to objection for 130 units, we objected on grounds of capacity to accommodate the proposals within the existing sewerage network and water supply network. All foul flows (DC/2017/00870) were proposed to discharge through the adjacent sewerage network discharging to Monmouth Waste Water Treatment Plant. This requires a hydraulic modelling assessment to establish the impacts of the sewerage network and if required provide suitable solutions to accommodate the development foul flows into the public sewerage network. An alternative sewer catchment for 70 units was identified with no objection to the proposed development subject to relevant conditions being imposed.

Natural Resources Wales: No objection subject to relevant conditions being attached to the planning approval. A condition required to secure a Dormouse Conservation Strategy - to minimise the impact of the development on dormice (Given that the vicinity of the site is known to support dormice, it is highly likely that dormice are using the hedgerows on the development site particularly where good habitat structure is present. Furthermore, it is possible that they may also use the other hedgerows on site, or may be encouraged to do so with the implementation of appropriate, long-term management. Whilst the indicative masterplan

contains the broad principles of hedgerow retention as part of the development, a dormouse conservation strategy is required to set out, amongst other things, how the hedgerows will be protected and managed in the long-term).

The application site lies within Zone A, as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk. Zone A is considered to be at little or no risk of fluvial or tidal/coastal flooding. We do not hold relevant flood risk information for this application site.

MCC Planning Policy: It is noted that this application relates to part of a wider site and that due to foul drainage capacity issues only part of the site can be accommodated by the network at this time.

The site is located outside the Monmouth 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 a departure from the adopted development plan and open countryside policies apply.

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 LDP Annual Monitoring Report (AMR) (September 2016). This is available on the Council's website and was formally endorsed for submission to the Welsh Government by Cabinet on 5 October 2016 (subject to call in procedures). The AMR is recommending 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 TAN1, paragraph 6.2). That is, where sites are a departure from the LDP but are otherwise acceptable in planning terms a recommendation for approval may be considered. In this respect any application would need to be assessed against the policies set out above. This site was put forward as an Alternative Site (ASN063) in the LDP process.

Policy S4 relates to Affordable Housing Provision, as the site is located outside the Monmouth 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 70 dwellings, the affordable housing requirement for 70 dwellings would therefore be 25 units. The planning statement refers to a contribution of 'up to 35%' in a number of paragraphs. Given that one of the stated justifications for this departure application is the need to provide affordable housing then it is considered to be essential to be satisfied at this stage that the proposal is both deliverable and viable and can achieve an appropriate amount of affordable housing (35%). It is suggested you contact Shirley Wiggam the Senior Strategy and Policy Officer for Housing in relation to the size and mix of the affordable units required.

Finally, the Council is currently progressing the implementation of a Community Infrastructure Levy (CIL). At present the implementation of CIL has been deferred. CIL contributions may be necessary should the application be determined after the adoption of CIL.

MCC Green Infrastructure Team: A £10k contribution is sought for management, habitat creation and landscape planting to complement proposed improvements to the centralised play facility.

The application for the proposal is informed by an ecological assessment:

Hallam Land Management Ltd. Rockfield Road, Monmouth ECOLOGICAL APPRAISAL prepared by FPCR Environment and Design Limited dated July 2016

and an update:

Hallam Land Management Ltd. Rockfield Road, Monmouth ECOLOGICAL APPRAISAL – ADDENDUM prepared by FPCR Environment and Design Limited dated May 2017

The hedgerows at the site are considered to be Priority Habitat (under Section 6 of the Environment (Wales) Act 2016) and must therefore be considered in accordance with LDP policy NE1. An entrance into the site must be created and compensation for this loss must be provided through additional planting including planting to bolster ecological connectivity. This has been indicated in the submission but it is vital to secure this strategic landscaping and ensure that the main areas do not fall within the ownership of individual homeowners.

Lighting design and the retention and enhancement of habitat corridors will be vital for bats and dormouse. NRW make comment in relation to dormouse in their comment dated 15/06/2017 and require a Dormouse Conservation Strategy to be submitted prior to commencement of works. I would extend this requirement to submission of the strategy with the Reserved Matters application, and incorporation into the Green Infrastructure Management Plan. Conditions are recommended accordingly.

MCC Open Space and Leisure: The following provisions are required in relation to this development:

- A contribution from the developer towards the improvement of off-site play provision in Rockfield. In recognition of the on-site provisions included in the submitted layout, we are prepared to reduce our request for an off-site contribution by 50%, i.e. £1,566 per dwelling (which would reduce the overall contribution from this site to £109,620). We would use that contribution to make provision elsewhere in the locality for those groups. With the layout now proposed, there is an excellent footway link to other sites in the locality where this off-site provision could be met, in particular the existing community and main open space provision for the Rockfield estate.
- A 10k contribution is sought for management, habitat creation and landscape planting to complement proposed improvements to the centralised play facility
- On site provision of a LAP (but not equipped) to form part of the informal play provision, so this should be contouring, seating and planting

MCC Highways: Reference is made to the previous application DC/2008/00576 and DC/2016/00870 outline applications with all matters reserved except for means of access. No significant issues arose during the determination of these applications that warranted consideration of a refusal on highway grounds subject to the implementation of various planning conditions and financial contributions secured through a Section 106 agreement. The conditions and contributions are required to implement off site highway mitigation measures and to enhance and encourage sustainable transport provision / walking, cycling and public transport.

The current proposal under consideration only differs in respect of the number of units to be delivered, the reason for the reduced numbers is to comply with Dwr Cymru / Welsh Water's foul sewerage embargo restricting the number of properties until the outcome of the hydraulic modelling exercise has been concluded. Therefore the infrastructure required to deliver 70 units as opposed to 130 units does not differ from that previously submitted. The applicant in support of the application has submitted an updated transport assessment (Document Reference 10410/TA/01 dated 20/07/16) and the transport assessment addendum (document reference 10410/TAA/01 dated 24/03/17)

Having reviewed the transport assessment addendum and revisited the transport assessment I would agree with the outcomes and conclusions of the report in particular the following;

No accident trends exist on the network serving the proposed development that cause concern and would require intervention or mitigation for the slight increase in traffic flow.

The site is reasonably well served by public transport, although some enhancements to the existing Monmouth town bus service will be required.

The site is located within reasonable walking and cycling distances to local amenities, although it is recognised that the site will need to be linked to existing adjacent developments and the immediate footways/footpaths will need enhancing to promote and encourage walking and cycling.

Traffic Impact has been assessed and at certain locations mitigation measures will be required to ensure that the development has zero impact, nil detriment on the existing local highway network. The question is whether the mitigation and local improvement measures are practicable and deliverable, this is not an issue that would allow me to refuse the application, however I would wish to ensure that appropriate conditions or measures are in place to secure future provision

Therefore with reference to the transport assessment and supporting documentation submitted in support of the application and the previous application I would offer no objections to the proposed development on highway grounds, subject to relevant conditions being imposed and heads of terms secured as part of the Section 106 Agreement

MCC Housing: The size of the site has been reduced to around 70 units, therefore, the new mix attached is based on 35% of 70 = 24.5 rounded up to 25 as per our policy.

Mix and number of units required

8	2 person 1 bed flats
10	4 person 2 bed houses
3	5 person 3 bed houses
4	3 person 2 bed bungalows

MCC Education: Reference has been made to the pupil forecasts and based on the information provided we do not envisage that we will need any Education contributions.

Cadw: No objection.

Gwent Glamorgan Archaeological Trust: No objection

An archaeological desk-based assessment compiled by Orion Heritage (Report no. 00216/1, dated June 2016) was submitted in support of application DC/2016/00870. The document was an update of an assessment submitted by CgMs (dated January 2008) with a previous application (DC/2008/00576), which preceded an archaeological evaluation of the site by Headland Archaeology (Report no. RRMW13, dated July 2013).

The 2008 assessment concluded that the proposed development area has a low potential for archaeological remains dating to all periods. The subsequent evaluation consisted of the excavation of nine trenches, none of which encountered any archaeologically significant features, although fragments of iron slag and a single flint flake were recovered. The evaluation also concluded that the site has a low potential for archaeological remains, which was also reiterated in the Inspectors report during an appeal (APP/E6840/A/13/2195263).

Archaeological investigations at Parc Glyndwr and the ongoing excavations at Wonastow Road have encountered important prehistoric remains, including an apparent lake bed and fragments of a Neolithic boat. In the case of Rockfield Road however, the evaluation has indicated that such remains do not extend into the development area.

On the balance of the evidence we did not consider that there was an archaeological restraint to the proposal and recommended that no archaeological conditions be attached to application DC/2016/00870.

Further archaeological desk-based assessment (Orion Heritage report no. QU-00216/2, dated March 2017) has been submitted in support of the current application. It reiterates the previous conclusions, but also details discussions between Orion Heritage and the Monmouth Civic Society (Sections 3.10-3.11). Such discussions acknowledged that the results of the evaluation trenching were correct and there was no evidence of any archaeological remains on site. Nevertheless it states that the watching brief suggested by the Civic Society was acceptable to Orion Heritage and the applicant, Hallam Land Management, and indeed could be secured by an appropriately worded planning condition.

However, it remains the case that as the archaeological advisors to your Members, we have no objections to the positive determination of this application and do not agree that a condition

requiring a watching brief to be carried out is justified in this particularly case. Should the applicant wish to engage a suitably qualified archaeologist to conduct a watching brief during ground intrusion works, we would have no objection, but as noted above, a condition requiring them to do so would be excessively onerous in our opinion.

4.2 Neighbour Notification

To date there has been 10 representations received to date raising the following issues:

- Previous Appeal dismissed in 2014 on the basis that it did not satisfy Local or National policies on housing policies and until the LDP was available the refusal on the grounds of prematurity was justified
- There is little difference between this and the previous appeal
- Proposed development is within 20m of a watercourse with the likely possibility of an increased surface water flooding of the area downstream of the development
- Access to the site is near a particularly notorious bend and a stretch of road outside the 30mph limit
- The site is a departure from the LDP as it is outside the Town Development boundary and in open countryside contrary to the LDP
- The LDP requires 485 new houses to be built for Monmouth town and development plan between now and 2021. Wonastow Road is progressing with phased development up to 450 houses this negates the requirement to develop this land for a further 130 houses
- Site is not sustainable for cycling and walking with links into town, other sites like Wonastow Road meet this requirement
- Welsh Water issues with sewerage and treated water
- Development will put further strain on current services doctors, dentists, schools etc.
- Construction will destroy ambience of the area
- The remaining block of land will form the next phase of development which will have a significant impact upon properties both visibly and financially (devaluation)
- Rockfield Road is becoming a place of traffic congestion, if permitted Rockfield Road would have to be declared an Urban Clearway
- Development of the site for a residential use would be contrary to strategic Policy S1 of the LDP relating to the spatial distribution of new housing provision
- Policy LC1 specifically relating to new build development in the open countryside contains a presumption against new build development whilst also identifying a number of exceptional circumstances where new built development might be permitted. None of these exceptional circumstances apply
- Welsh Water allowing 70 dwellings to be serviced does not provide a green light for this development
- Boyer are attempting to justify the proposal citing as a material consideration 'the critical shortfall in housing land identified within the Country' however the Inspector in dismissing the appeal concluded that the factors about which she was satisfied did not outweigh local policies in respect of the location of housing development and the appeal was refused
- Flood Risk reports are noted previous points still stand 1 in 1000 flood events are not reliable - do not help to determine water flow or planning for surface water flooding events
- It is other areas that have not delivered in terms of housing supply it should not be incumbent on Monmouth to deliver the shortfall when it has been met in this part of the County.
- Monmouth has the infrastructure of a small market town, the infrastructure increase is not commensurate with the development.
- Monmouth has suffered significant development already with 84 homes constructed in Parc Glyndwr, re-development of Monmouth hospital site and Wonastow Road.
- Area is prone to flooding; detention basin proposed to and at a higher level than the neighbouring residential properties.
- Landscape Impact - Special Landscape Area

- Use of valuable agricultural land
- Concern expressed that previous efforts to plant hedgerow on the adjacent residential land were not implemented or enforced, so no re-assurance that any planting proposed in this scheme will happen
- Problem with a back-up of surface water in the stream/ditch to the east of the site leading to further flooding problems in the local area.
- Covering green fields with houses
- Concern raised about location and number of site notices
- There is increasingly worse traffic congestion all along Rockfield Road making this development not viable. The issue isn't with Rockfield Road itself, the problem centres on all the parked cars which mean the road is not wide enough for two vehicles to pass and results in traffic stop/starting all along the road. This happens all through the day. Other than widening the road or banning on-street parking I don't believe this can be solved, and therefore additional traffic from the proposed 130 new properties would only make matters worse.
- The development will tarnish the local scenery. At this rate of development Monmouth will soon lose its charm and draw as a small tourist market town, set in some of the most beautiful scenery in the area, becoming a mass suburban development of residential and industrial properties with no identity.
- The volume of commercial delivery vehicles will also increase as the new population takes understandable advantage of on-line shopping and home-delivery services. The increased risk of accident, which is dismissed in the proposal as negligible, is real: whilst there might not have been many accidents along Rockfield Road in the last six years, there have been numerous and frequent near-misses. The addition of a new and busy junction will not reduce that risk, especially since most users of the rat run to Abergavenny accelerate vigorously once past the Owain Glyndwr roundabout.
- The proposal and the traffic department also casually stipulate a requirement to extend and increase the frequency of bus services. Clearly more buses along Rockfield Road will increase congestion, travel times and inconvenience.
- Visual Impact. The proposal discusses the potential for sympathetic screening to minimise the impact of 70 houses in a field where hitherto to view has been traditionally rural, with some agricultural machinery from time to time in accordance with season and animals grazing. They cite the existing homes as justification to destroy that view. They overlook the fact that, at road level, the existing Owain Glyndwr development is hardly visible because of contouring and differences in height. Clearly, the proposal's development will be adjacent to the road and clearly visible regardless of sympathetic treatment
- The proposal is the predictable and mandatory mix of affordable housing and generously proportioned executive homes. It is well acknowledged that the nationwide demand is for affordable housing. However, the majority of housing development projects clearly seek to balance the costs of building smaller affordable houses with the higher profit margins they can extract from the larger executive homes. All recent projects in Monmouth have not achieved the Housing target because of lower than forecast demand. Nothing in the proposal supplies any evidence to show that this level of demand has changed, let alone increased.
- The alternative proposal to develop 'land to the east of Rockfield Road' behind the emerging local shopping development would avoid that increase in traffic volume, place residents much closer to the town with direct green field pedestrian routes to town and redress the hitherto asymmetric approach to growth demonstrated by the developments further west.

5.0 EVALUATION

This application is a Departure from the Local Development Plan and has been advertised as such.

The main issues in the determination of the application are the following:

1. Principle of Residential Development
2. Visual Impact
3. Green Infrastructure and Landscape
4. Highway and Access
5. Neighbour Impact
6. Drainage
7. Publicity

5.1 Principle of Residential Development

5.1.1 The site is located outside the Monmouth Town 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 a departure from the adopted Development Plan and open countryside policies apply.

5.1.2 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 policies contained in the Local Development Plan, most notably policies S1 and LC1.

5.1.4 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 LDP Annual Monitoring Report (AMR) (September 2016). This is available on the Council's website and was formally endorsed for submission to the Welsh Government by Cabinet on 5 October 2016. The 2016 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. The 2016 Joint Housing Land Availability Study was agreed by the Planning Inspectorate to be 4.1 years' supply for Monmouthshire. The recently released 2017 JHLAS agreed by the Planning Inspectorate shows a reduction to 4.0 years (<http://www.monmouthshire.gov.uk/planning-policy/research-census-and-statistics/council-research>). The Council is required to have a minimum deliverable housing land supply of 5.0 years. Where Councils do not have a 5 year land supply, national planning policy requires Councils to take a pragmatic approach to the determination of residential development sites to address the shortfall (as recognised in TAN1, paragraph 6.2). That is, where sites are a departure from the LDP but are otherwise acceptable in planning terms a recommendation for approval should be considered. In this respect any application would need to be assessed against the policies set out above. This site was put forward as an Alternative Site (ASN063) in the LDP process. It is also noteworthy that when this site was tested at Planning Appeal the inspector dismissed the appeal on grounds of prematurity in relation to the emerging LDP - the principle of a residential development on this site was considered acceptable on all other counts.

5.1.5 It is imperative that if this exception principle is to be applied that the relevant time conditions are imposed ensuring that a subsequent reserved matters application is submitted and the site is delivered physically with the provision of houses that can be included within the 5 year housing land supply.

5.1.6 Issues have been raised by neighbours and Monmouth Town Council that Monmouth has delivered its portion of the LDP housing requirement with the development of the strategic site Wonastow Road. However, this strategic site is currently on course to deliver 340 of the 450 residential unit allocation within this plan period. The remaining 110 houses that were to be accommodated in the Drewen Farm site (making up the 450 residential strategic allocation

for Wonastow Road) is some way off being delivered as there has still to date been no planning application submitted for the development of this site. Also the timescale for the site coming forward is affected by the timetable for infrastructure provision on the Wonastow site which (due to delays in starting etc.,) will not be in place until late 2019/20, meaning the site will not be delivered during the LDP period (which runs to the end of 2021). Notwithstanding this, the housing land shortfall is an issue affecting the whole County, and any unallocated sites coming forward to help meet this shortfall need to comply with the Plan strategy, which sees most housing growth focussed on our three main towns and the Severnside area, where the infrastructure is best.

5.2 Visual Impact

5.2.1 In the Monmouthshire Landscape Sensitivity and Capacity Study 2009, the application site, together with Parc Glyndwr and the land to the west of it as far as the Offa's Dyke National Trail, form Local Landscape Character Area M05. This area is identified as having a 'medium landscape sensitivity' and also a 'medium capacity for housing' although it is stated that this capacity is restricted to the area already allocated. This is reference to Parc Glyndwr which has since been developed. However, it is noted that apart from Local Landscape Character Area M07, which includes the LDP strategic site at Wonastow Road, all the other landscape areas surrounding the town are identified as being of either 'high or high/medium landscape sensitivity' and 'low or medium/low housing capacity'. The application site is, therefore, of lesser sensitivity and has higher capacity than most areas surrounding Monmouth and the effect of its development on the landscape could potentially be less than on other sites. (The area is one of the two lowest areas of sensitivity in Monmouth).

5.2.2 Views of the site from the wider landscape are restricted, they are prevented by a combination of: the surrounding built up area of Monmouth to the west and south; tall hedgerows and trees to the north and east; and the local topography that gently rises. Nonetheless this development will be visible from certain surrounding viewpoints: approaching the site along Rockfield Road in a southerly direction, Rockfield Estate is seen in the distance and whilst the existing planting softens views towards the town, the housing is clearly visible and creates a hard edge to the settlement. Parc Glyndwr is also seen in passing the application site and although it is accepted that the existing openness creates a buffer, there is limited planting to visually soften the view of the Parc Glyndwr. This development of this buffer, provides an opportunity to overcome the shortcomings of the existing development with the hard settlement edge and limited strategic planting. There are a number of measures that have been undertaken to achieve this within the parameters of this outline planning application.

5.2.3 As part of this application proposal, the development secures a substantial 3 metre wide strategic planting belt along the south boundary reinforcing the boundary between the application site and the existing Rockfield development. A 10m wide strategic planting belt is proposed along the northern boundary, a significant improvement over the existing scant planting buffer that forms the existing north boundary adjacent to the Rockfield Road residential site, thus helping the overall development to be assimilated into the surrounding open countryside to the north of the site while the south western boundary, which is a linear area of open space, would be dedicated to a community orchard and community planting initiatives with informal seating that softens the backdrop significantly.

5.2.4 There is no dispute that the character of the application site would be altered by the development. However, in approaching the site along Rockfield Road from either direction, the alignment of the road and existing and proposed planting together with the proposed setting back of the dwellings behind a well landscaped frontage (as shown on the illustrative plans) would limit and soften views of the development. The hard settlement edge that is clearly evident on the site now, will be buffered and screened by the new development that

will sit within the forefront and is designed so that there is no hard settlement edge that is visible from within the site or surrounding localised vantage points.

5.2.5 In terms of visual amenity the scheme is considered to be successful in achieving a high quality, attractive scheme which, in conjunction with the green infrastructure, softens the overall built form and helps the development to be assimilated acceptably into the surrounding countryside.

5.3 Green Infrastructure and Landscape

5.3.1 “Green infrastructure is the network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect villages, towns and cities. Individually these elements are GI assets, and the roles that these assets play are GI functions. Where appropriately planned, designed and managed, the assets and functions have the potential to deliver a wide range of benefits” (Green Infrastructure Supplementary Planning Guidance). Green Infrastructure (GI) has been a major steer in terms of adding value to this site and ensuring that it overcomes and addresses the shortfalls that arise from the existing surrounding development. The site is a relatively blank canvas in that it is relatively flat with a landscape fabric that is largely intact (boundary trees, hedgerow, watercourse/ ditch). In addition to the extensive planting proposed there is a surface water pond which is an open sustainable drainage system (SuDS) feature included in the south eastern corner of the site. This integrated approach to green infrastructure provision is an important opportunity that is situated to the front of the site helping to create a more open frontage to this residential site.

5.3.2 There is recreational value owing to the existing central footpath that runs north-south and has become a feature of the proposed development of this site running along the western boundary of the application site. This forms the link through the proposed Public Open Space within this site and delivers a community orchard with community food growing initiatives with informal seating. This north-south axis retains an important and intrinsic link and this development improves its accessibility with the replacement of an existing stile with a more accessible gate. This connection axis with the Rockfield Road development has been replicated (as far as possible within the boundary of the application site) with an east-west footpath link stopping currently on the north-west boundary at the PROW. The developer has agreed to providing a link to facilitate informal access to the site beyond (this will be further facilitated by the Council being able to provide an access point along the north-east boundary of Parc Glyndwr when the boundary hedge and ditch that runs along this boundary shortly comes into the ownership and control of MCC as secured by the S106 for that development). If the remaining parcel of land to develop a further 60 dwellings receives planning permission in the future, this informal link would be incorporated formally as a key green link within the site which will also join with the north west of the site facilitating access to the Offa's Dyke path. The result being that this development facilitates and significantly improves permeability between this proposed site and the existing surrounding residential sites.

5.3.3 Green Infrastructure has been an essential element in raising the standard of this site to ensure it creates a better place to live, not only for the new occupiers but for the occupiers of the adjacent residential development. The principles of using the existing assets and maximising opportunities to enhance the scheme have now been embraced in this outline application. It is imperative through the imposition of appropriate conditions that this is secured to ensure this is delivered as part of the Reserved Matters submission.

5.4 Highway and Access

5.4.1 There have been a number of objections raised by local residents and Monmouth Town Council in terms of the capability of Rockfield Road in accommodating traffic movements in association with further residential growth within this part of Monmouth. There are however

off-site improvements to the road network proposed in this locality that are being secured as part of this development, specifically relating to off-site junction mitigation / improvement measures as identified in the transport assessment addendum and transport assessment. This will apply to the following locations:

Watery Lane / Rockfield Lane
Wonastow Road / Rockfield Road
Cinderhill Street / Blestium Street
Cinderhill Street / Portal Road

5.4.2 The principle of the access point was agreed as part of the previous appeal in terms of design, as were the Heads of Terms relating to financial contributions towards off-site highway works and the requirement to enter into a Section 278 Agreement with the Highway Authority for not only the construction of the access but for the implementation of the required off site junction mitigation / improvement measures.

5.4.3 Further improvements are being secured through this application for the implementation of the required off site footway improvements on the western side of Rockfield Road. A further concern raised by neighbours is the speed of the road, currently east of the site, the road is subject to a 30mph speed restriction. However, from the eastern boundary of the application site westbound, the national speed limit (60mph) applies but again the developer is to provide a financial contribution to enable the Highway Authority to implement the extension of the 30mph speed limit and associated road safety and traffic improvements necessary prior to the construction of the means of access or as soon as is reasonably practical following the commencement of the means of access.

5.4.4 Finally, sustainable transport routes have been supported through a financial contribution towards the improvement and enhancement of the Monmouth Town Bus Service with a financial contribution to support cycling and further enhancements to the Monmouth Links walking and cycling networks or alternative schemes promoted by MCC.

5.4.4 The proposed access point meets highway requirements whilst at the same time ensuring through its position that minimal disruption to the surrounding green infrastructure is undertaken. This proposal subject to the relevant conditions being imposed and Heads of Terms secured will ensure that the proposed development meets the objectives of planning policy.

5.5 Neighbour Amenity

5.5.1 There are neighbouring properties on Levitsfield Close and Hamilton Way (and partly Trafalgar Close) that back directly onto the application site. There is an existing planting buffer forming the common boundary. This application proposes to provide a further 3 metre strategic planting belt along this south west boundary with these properties, which is significantly more than the existing landscape buffer. In the case of the properties alongside Hamilton Way, as a whole these will be adjacent to the surface water drainage pond which together with the strategic planting will prevent there from being any further overlooking or over-dominating issues arising between properties in this case. Indeed, careful layout and design which will be part of the reserved matters application, coupled with the proposed strategic planting will ensure that the new development will not have an adverse impact upon the residential amenity of the existing properties at Levitsfield Close.

5.5.2 There are two other properties situated on the northern corner of the site. Here a 10m wide strategic planting buffer provides more than adequate screening. Coupled with this careful siting of the new development (that will be resolved as part of the Reserved Matters

Application) will ensure that this development will not have a significant adverse impact on the residential amenity of these neighbouring properties.

5.5.3 The proposed development will deliver some benefits to the existing neighbouring properties with an improvement in the accessibility of green links between sites and beyond into the open countryside to the north of the site.

5.6 Drainage

5.6.1 NRW have confirmed there are no wider flooding issues and offered no objection to this development. Whilst the development is in Flood Zone A (i.e. is not an area at risk of river or sea flooding), the site is subject to surface drainage flow from the surrounding area. The surface flow links to the existing watercourses on the site, including along the eastern and southern boundaries. The proposal seeks to address this factor through a comprehensively designed SuDS system; the illustrative plans show the positioning of this drainage pond, although full details will be provided as part of a Reserved Matter Application.

5.6.2 With regard to foul drainage Welsh Water have confirmed there is no objection to the provision of 70 dwellings that can be accommodated on site subject to conditions that are imposed

5.7 Publicity

5.7.1 This application has been advertised as a Departure from the Local Development Plan through an advertisement in the Local Press, Site Notices have been put up on Rockfield Road and two further site notices put up within the Rockfield Estate, adjoining neighbouring properties have been notified by letter.

5.8 Response to the Representations of the Community/ Town Council

5.8.1 The issues have been addressed in the paragraphs above.

5.9 Section 106 Requirements

5.9.1 As well as the affordable housing provision covered in Section 5.10 below, the Council will also be seeking financial contributions for open space and local play provision, green transport and highway improvements.

5.9.2 In terms of open space and play, provision is being made for community orchard and food growing to the north west of the site adjacent to the PROW. A local area for play (LAP) is to be provided within this area comprising of an informal seating area through benches, land contours etc. A commuted sum is not payable as the site will be maintained via a private management company.

5.9.3 A GI Bond of £10k is sought for management, habitat creation and landscape planting to complement proposed improvements to the centralised play facility.

5.9.4 A contribution from the developer towards the improvement of off-site play provision and adult recreation in Rockfield. In recognition of the on-site provisions included in the submitted layout, an off-site contribution has been reduced by 50%, i.e. £1,566 per dwelling (the overall off-site leisure contribution from this site totalling £109,620). With the layout now proposed, there is an excellent footway link to other sites in the locality where this off-site provision can be met. The financial contribution requested is identified to be put towards improvements to: i) the Rockfield Main Open Space and ii) the New Monmouth Skate park.

Both these sites are within easy and safe walking distance of the development site at Rockfield Road West. It is proposed that the remainder will go towards Monmouth pool.

5.10 Affordable Housing

5.10.1 The price of housing in Monmouthshire has risen to a level beyond that which many local people can afford. In 1999 the price of an average property in Monmouthshire was 4.6 times the average earnings of someone working in the County. This has now risen to over 9 times the average earnings (Source: Hometrack LQ house price - income ratio 03/01/17). The greatest need in the County is for social rent (there are currently 1028 households on the Council's Register requiring a home in the Abergavenny area). The Council therefore has had a neutral tenure policy for all affordable housing.

5.10.2 As the site is located outside the Monmouth 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 70 dwellings and so the affordable housing requirement would therefore be 25 units

5.10.3 Given that one of the stated justifications for this departure application is the need to provide affordable housing then it is considered to be essential to be satisfied at this stage that the proposal is both deliverable and viable and can achieve an appropriate amount of affordable housing.

5.10.4 The preferred housing mix would be 8 x 2 person one-bed units (two blocks of walk up flats), 10 x 4 person two-bed houses, 3 x 5 person three-bed houses and 4 x 3 person two-bed bungalows.

5.11 Reasons for Planning Conditions requiring a shorter timescale for submission of reserved matters and to commence development after approval of the outline permission

5.11.1 The standard condition whereby there are normally three years in which the reserved matters are to be submitted following the grant of outline permission has been reduced to allow twelve months for submission of reserved matters (condition 2 below). The reason for this is that the site, which is in open countryside and not a housing allocation in the adopted LDP, is only recommended for approval on the basis that it would help reduce the shortfall in the Council's five year housing land supply. For similar reasons the period in which the development must be commenced has been reduced from five years from the date of the outline permission to two years (see condition 3 below)

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

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

6.0 RECOMMENDATION: Approve subject to a Section 106 Agreement: Heads of Terms are as set out in sections 5.9 and 5.10 above:

Conditions/Reasons:

1	Details of the layout, scale, appearance and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2	Any application for approval of the reserved matters shall be made to the local planning authority not later than twelve months from the date of this permission.
3	The development shall begin either before the expiration of two years from the date of this permission or before the expiration of one year from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4	The development shall be carried out in accordance with the list of approved plans set out in the table below.
5	<p>Prior to the commencement of the development hereby approved a notice shall be given to the local planning authority.</p> <p>(a) stating the date on which the development is to begin;</p> <p>(b) giving details of the planning permission and of such other matters as is required by Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended ("the Order").</p> <p>Reason: To comply with the requirements of Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning (Wales) Act 2015.</p>
6	No development shall commence until detailed designs and technical audits for the proposed means of access have been submitted to and approved by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
7.	No development shall commence until detailed designs and layouts indicating the proposed footway linkages to the adjacent residential developments have been submitted to and approved by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
8.	No development shall commence until details of the proposed off site footway improvements along the western side of Rockfield Road to the junction of Kingswood Road have been submitted to and approved by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
9.	No development shall commence until an audit of the existing local footways has been undertaken in accordance with the Active Travel (Wales) Act 2013 and submitted to and approved by the local Planning Authority.
10	Prior to any works commencing on site a Construction Management Plan (CMP) 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 CMP.
11.	No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of

	surface and land water by sustainable means. The development shall be carried out in accordance with the agreed details.
12.	<p>No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details should reflect the guidelines set out in the Framework plan and the Indicative Masterplan and GI Framework plan. Details shall include:-</p> <ol style="list-style-type: none"> 1. Detailed plans / elevations of the proposed building 2. proposed finished levels or contours; 3. means of enclosure; 4. car parking layouts; 5. other vehicle and pedestrian access and circulation areas; 6. hard surfacing materials; 7. Minor artefacts and structures (e.g. furniture, artwork, refuse or other storage units, signs, lighting, floodlighting and cctv installations etc.); 8. proposed and existing functional services above and below ground (e.g. drainage, power, 9. Communications cables, pipelines etc. indicating lines, manholes, supports and CCTV installations.); 10. Retained historic or other landscape features and proposals for restoration, where relevant. 11. Soft landscape details shall include: planting plans, specifications including cultivation and other operations associated with plant and grass establishment, schedules of plants, noting species, sizes, numbers and densities. 12. Water Features 13. Clarification of access connections across the whole site 14. Impacts and mitigation as a result of the proposed new access requirements.
13	<p>All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. 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.</p>
14	<p>Prior to development commencing on site, details of earthworks shall be submitted to and approved by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. The development shall be carried out in accordance with the agreed details.</p>
15	<p>Following first occupation of the development, provision of access as identified and set out in the approved Framework plan and the Indicative Masterplan and GI Framework plan shall be provided at the west boundary adjacent to the future development parcel. This access point shall be continuous and open to residents until the remainder of</p>

	the scheme comes forward and these routes are formalised as part of the Green Infrastructure contribution for the whole development.
16	<p>No development, demolition, earth moving shall take place or material or machinery brought onto the site until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include details of measures to protect:</p> <ol style="list-style-type: none"> 1) Nesting Birds 2) Badgers & Hedgehogs <p>The Construction Method Statement shall thereafter be implemented in full.</p>
17	<p>No development shall take place until a potable water scheme to serve the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the existing water supply network can suitably accommodate the proposed development site. If necessary a scheme to upgrade the existing public water supply network in order to accommodate the site shall be delivered prior to the occupation of any building. Thereafter, the agreed scheme shall be constructed in full and remain in perpetuity.</p>
18.	<p>Prior to works commencing on site, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the Local Planning Authority. This boundary treatment shall be implemented in accordance with a timetable agreed in writing with the Local Planning Authority.</p>
19.	<p>A Green Infrastructure Management Plan shall be submitted to, and be approved in writing by, the local planning authority with the reserved matters. The content of the Management Plan shall include the following :</p> <ol style="list-style-type: none"> a) Description and evaluation of Green Infrastructure assets to be managed. <ul style="list-style-type: none"> • Existing vegetation to be incorporated – hedgerows and trees • Public open spaces • Informal play • Community growing areas • Habitat and species enhancement and management • Access arrangements across the whole site • Street trees and verges b) Trends and constraints on site that might influence management. c) Aims and objectives of management. d) Appropriate management options for achieving aims and objectives. e) Prescriptions for management actions. f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty-year period). g) Details of the body or organization responsible for implementation of the plan. h) Ongoing monitoring and remedial measures. <p>The Management Plan shall complement delivery of the Dormouse Conservation Strategy including monitoring and remedial measures. The Management Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the Green Infrastructure Management Plan are not being met) how</p>

	contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning Green Infrastructure objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.
20.	Prior to the occupation of any dwelling on site a schedule of landscape maintenance for a minimum period of five years 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 as referred to in Condition 19.
21.	<p>A “lighting design strategy” shall be submitted at Reserved Matters for approval in writing by the local planning authority. The strategy shall:</p> <ul style="list-style-type: none"> a) identify those areas/features on site that are particularly sensitive for biodiversity and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority. <p>The development shall be carried out in accordance with the agreed details.</p>
22.	<p>A Reserved Matters application shall include a Dormouse Conservation Strategy to be approved by the Local Planning Authority. The strategy shall:</p> <ul style="list-style-type: none"> a) detail the impacts of the scheme, both during and post-construction, b) how these will be mitigated or compensated for, including habitats to be retained, replaced, and/or enhanced for dormice including measures to minimise the impact of the development on dormice, and proposals to maintain connectivity of the retained habitats to the wider landscape. <p>The development shall be carried out in accordance with the agreed details.</p>
23.	No more than 70 residential properties shall drain to Rockfield Road Waste Water Treatment Works. The foul only flows from this development shall be made on the combined sewer between manhole reference number SO48144502 and SO48144608 as indicated on the extract of the Sewerage Network Plan attached to this decision notice. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system

Informatives:

Community planting - If the land allocated for community food growing is not taken up within the landscape maintenance period (within 3 years), an alternative contingency plan should be

provided (e.g. the area could be planted with fruit bushes to be maintained until year 5) This detail needs to be included and thoroughly covered within the GI Management Plan (covered under Condition 19) to be submitted as part of the Reserved Matters Application.

Nesting birds – Please note that all birds are protected by the Wildlife and Countryside Act 1981 (as amended). The protection also covers their nests and eggs.

To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most bird species is between March and September.

Hazel Dormouse - Please note that the hazel dormouse is protected under The Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This includes protection for individual dormice from killing, injury, capture or disturbance. It is also an offence to damage or destroying breeding sites or resting places even if the animal is not present. If dormice are found during the course of works, all works must cease and the Natural Resources Wales contacted immediately.

Badgers - Please note that Badgers are protected under the Protection of Badgers Act 1992. It is illegal to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or attempt to do so; to intentionally or recklessly interfere with a badger sett by damaging or destroying it; to obstruct access, or any entrance of, a badger sett and to disturb a badger when it is occupying a sett. To avoid breaking the law, follow the advice provided by the consultant ecologist and if work is within 30m of a sett consult with Natural Resources Wales.