

**Application Number:** DM/2018/00696

**Proposal:** Outline application (with all matters reserved except for access) for residential development of up to 291 dwellings, a care home and public open space, landscaping and associated infrastructure works

**Address:** Land Development South Of Crick Road Crick Road Portskewett Monmouthshire

**Applicant:** Melin Homes And Monmouthshire CC

**Plans:** Location Plan 16117 (05) 100 - , All Drawings/Plans 16117 (05) 200 - Rev B, All Drawings/Plans 16117 (05) 202 - Rev A, All Drawings/Plans 16117 (05) 204 - Rev A, Location Plan 16117 (05) 100 - , Ground Plan 16117 (05) 102 - , Green Infrastructure Appraisal Green Infrastructure Management Plan Inc. Landscaping strategy - Ref: 2474.01 (Dated Sept, All Drawings/Plans 16117(05) 205 Rev B Strategic Masterplan - , Other Dementia Friendly Urban Design - , All Drawings/Plans Road Improvements Works to B4245: Sheet 1 - , All Drawings/Plans Road Improvements Works to B4245: Sheet 2 - , All Drawings/Plans Road Improvements Works to B4245: Sheet 3 - , All Drawings/Plans Proposed Road Narrowing on Existing Bridge: B4245 - , All Drawings/Plans Proposed Footpath Link Crick Road - , Other Personal Injury Collision Data 2013-2017 - , Other Proposed Traffic Calming Measures on B4245 & Crick Road with extended 30mph Zone - , Other Proposed Traffic Calming Measures on B4245 - , Other Proposed Traffic Calming Measures on Crick Road - , Other Stage 1 Safety Audit (August 2018) - , Ecology Report Interim Technical Note: Hedgerow Translocation & Barn Owl Mitigation (October 2018),

## **RECOMMENDATION: APPROVE**

Case Officer: Ms Jo Draper  
Date Valid: 17.05.2018

### **1.0 APPLICATION DETAILS**

- 1.1 This planning application has been submitted on behalf of Melin Homes and Monmouthshire County Council for the construction of up to 291 homes (including affordable homes), a care home, public open space, landscaping and associated works at Crick Road, Portskewett. The application is for outline approval, with all matters reserved except for access.
- 1.2 The application site is located directly to the north-west of the village of Portskewett and some 1.1 km east of Caldicot Town Centre. The site is identified as a strategic allocation for mixed uses (housing and employment) in the adopted Monmouthshire Local Development Plan (Policy SAH2).
- 1.3 The Application Site comprises of a roughly diamond shaped area of land measuring 10.95 hectares in area, located to the south of the B4245 Caldicot to Chepstow Road, and north of Portskewett. The eastern boundary runs along Crick Road, an unclassified road, while to the west, beyond a disused railway line, is a large industrial unit, occupied by Mitel, as part of a larger area of employment land (Castlegate Business Park) which lies between the settlements of Caldicot and Portskewett. Caldicot Town Centre lies just over 1 kilometre to the west, while the village centre of Portskewett lies 600-900 metres to the south-east.

- 1.4 The site comprises five separate field parcels separated by hedgerows. The site generally slopes downwards from the north to south from approximately 22m AOD in the north to c.13m AOD in the south. There is a more steeply sloping elevated area on the eastern side of the site alongside Crick Road; this forms the area that has been identified as the exclusion zone for nesting owls and the steepest area has been identified as a POS area for a community orchard. The parcel associated with this part of the site contains the remnants of an old stabling structure, as well as a small grouping of four mature oak trees.
- 1.5 To the north and north-east, the surrounding land is predominantly rural with woodlands, farmland and an equestrian events centre. There are detached properties dotted around this area. The woodlands, located on Farthing Hill and Portskewett Hill respectively, provide a wooded backdrop to the site.
- 1.6 The Site Principles submitted in the supporting information are summarised below:
- (i) Proposals have evolved from the original Concept Proposals which established the basic principles of the development, including the two access points and retention of original field boundaries as far as practicable to establish the form and nature of the housing layout.
  - (ii) A hierarchy of routes are proposed including the creation of a Greenway forming an extension of the main village street turning alongside retained and new hedgerows, secondary streets (which will serve the majority of the housing phases), and a series of mews streets and private drives along with main pedestrian routes.
  - (iii) There are additional offsite improvements to the footpath network with a new connection from the Crick Road access to Treetops in support of safe routes to school and a new section of footpath from the main vehicular access west towards Caldicot, with a new pedestrian crossing, being proposed.
  - (iv) Amenity land is proposed to be retained in the parcel which abuts Crick Road, to maximise the benefits of the mature oak trees. A village street and Greenway through the development area is proposed to link this area with the wooded corridor associated with the disused railway line to the west. Key public open spaces and a main pedestrian route are incorporated in this wider corridor.
  - (v) The parcel to the west of the site, identified in the LDP for B1 uses, is proposed to accommodate a care facility in this area. This is anticipated to create jobs, as well as meeting local needs for elderly accommodation.
  - (vi) The proposals include two new site accesses. The primary vehicular access will be gained via a priority junction with the B4245 to the north-west of the development site. This access is located approximately 150m to the north of the proposed care home and will provide residents and employees access on to the strategic road network. The secondary vehicular access will be gained via a priority junction with Crick Road to the east of the development site, immediately to the north of the Treetops residential estate. The design of the junctions will be to current highway standards.
  - (vii) On the basis of the above a road will provide a route through the site to link Crick Road and the B4245. It is proposed that the internal layout of the development site will be designed to current standards and will incorporate additional safety measures. The design will follow the principles outlined in Manual for Streets (DCLG, 2007). The design of the internal road layout will ensure safe and convenient movement across the site and that is accessible to all members of the community. Car parking provision is proposed to be made in accordance with the Monmouthshire Parking Standards SPG (2013). A street hierarchy will be used that carefully balances the needs of cars, pedestrians and cyclists. Where possible, it will be ensured that within each development area the roads will have a design speed of 20 mph or less, negating the need for designated cycle lanes by providing streets that can be safely shared by pedestrians, cyclists and cars.

- (viii) Connections with existing footway provision within Portskewett and Caldicot will improve local linkages and ensure the site is well connected to existing residential areas to the south of the site, to the employment areas to the west and to the nearby community facilities.
- (ix) The majority of perimeter trees and hedgerows, including the four mature oak trees are being retained and integrated as part of the proposed development.
- (x) The Scale Parameter Plan sets out the principles of the scale of the dwellings across the different areas of the site. The average density of the proposed site is 37 units per hectare, with a scale between 1-3 storeys subject to the different parts of the site. The primary route along the Village Street and Greenway particularly around the central open space will support the greater densities and scale with provision for up to 2.5 storeys along these routes and up to three storeys around the central open space. The secondary streets will be of medium density, and scale with a limit of up to two storeys high around the more sensitive perimeters of the site and adjacent to existing residential development. The maximum height of the two storey development will be up to 9m to ridge, 2.5 storey development will be up to 10m in height to ridge, three storey development will be up to 12m in height to ridge

1.7 During the course of this application the scheme has been amended. The changes are summarised below:

- (i) A reduction in the number of units from 300 to 291 (an overall reduction of 9 units);
- (ii) A more strategic layout has been prepared to accompany the application. The submitted 'Strategic Masterplan' (ref: 16117(05) 205 Rev B) identifies the location of character areas, notably the Village Street and Greenaway, and Neighbourhood core which is further broken down into Secondary Streets, Shared Surface Street and Lane/Private Drives.
- (iii) The central area of Public Open Space which encompasses a Local Equipped Area of Play (LEAP) has been significantly enlarged. The layout has been redesigned, resulting in the POS being bound almost entirely by gravel paths, ornamental Shrubs and Perennials, turf, wild flower seeding and plugs, trees and hedgerows. This has been facilitated by the removal of expanses of highways. The POS is now to be bound principally by greenway features and hedgerows to the west and key residential buildings to the east and south.
- (iv) The number of Greenway Links within the site has been increased, notably;
  - a) From the central POS to the B4245 where a new shared footpath cycleway Pedestrian access links has been proposed. This link provides direct pedestrian and cycle access to the B4245;
  - b) A continuous Greenway Link is proposed along the Principal Village Street which runs diagonally through the site;
  - c) A continuous Greenway Link is proposed between the central POS and Crick Road; and
  - d) The Greenway Link has been extended from the Principal Village Street, eastwards, towards the sites eastern boundary;
  - e) The extended and new Greenway Links proposed provide uninterrupted pedestrian and cycle routes throughout the site, connecting the sites most northern section with a potential future access to the disused railway and from the properties positioned along the sites eastern boundary and the B4245. An uninterrupted Green Link is also proposed from the central POS to the sites secondary vehicular access to Crick Road;
  - f) Permeability is ensured via Green Infrastructure links beyond the site boundary, such as;
    - i) The disused rail corridor;
    - ii) The local primary school and shop via Crick Road; and
    - iii) Caldicot Castle; Caldicot Comprehensive School and Caldicot Town Centre.
  - g) The internal highway layout has been reconfigured with the aim of directing the majority of the development traffic to the B4245 access. This is sought to be addressed via a reduction in the amount of 'Principal Streets' and the introduction of more Mews Street and Lanes and a small amount of Secondary Streets;

- h) The layout demonstrates a commitment to advance a permeable relationship between residential development and the proposed care facility. The layout has been designed using dementia friendly design principles set out in 'Neighbourhoods for Life: Designing dementia-friendly outdoor environments'. This is discussed fully in Dementia Friendly Urban Design (Dated 08.08.18) prepared by Powell Dobson. Additional information has been submitted to support the design that has been informed and derived by being Dementia Friendly.

1.8 There are significant changes proposed to the surrounding highways as part of this proposal, which are listed below:

- (i) The primary access to the development will be from a new junction onto the B4245
- (ii) A safety record at the following junctions, A48/B4245 priority junction, A48/Crick Road priority junction, has been submitted.
- (iii) A footpath connection is proposed between the site entrance with the B4245 and the Mitel Roundabout via the railway bridge. The drawings submitted include reference to the removal/relocation of existing street furniture and apparatus in addition to proposals for new features. The following bullet points summarise the key elements of the scheme:
  - The footpath connection between the entrance junction with the B4245 and the railway bridge, the plan details the need for a new tactile crossing facility at the Gas Governor Entrance Junction.
  - A pedestrian island and subsequent 2m footpath along the northern side of the B4245 is proposed to provide ease of access to an informal footpath which in turn lead to the grounds of Caldicot Castle
  - A new crossing point to the grounds of Caldicot Castle to be provided facilitated by new dropped kerbs whilst utilising the existing traffic island.
- (iv) It is proposed to re-engineer the existing railway bridge to allow a 2.5m wide footpath/ cycleway to be incorporated along its southern edge. This includes tapering the existing highway to 6.3m with realignments on both the northern and southern sides, remove the existing vehicular restraint barrier and demark the highway with new Trief kerbing. Pedestrian guardrails are proposed against the existing bridges southern parapet wall as a safety measure.
- (v) A 2m wide footway is proposed connecting the development entrance with the existing footpath to the south of Crick Road (the drawing details the need to reposition existing street furniture to accommodate the footpath).
- (vi) A preliminary design of a traffic-calming scheme that seeks to restrain speeds on both the B4245 and Crick Road.
- (vii) Layout changes have been made (detailed in the above Layout/GI section) to promote and encourage the majority of residents to utilise the access to the B4245.
- (viii) A stage 1 Road Safety Audit has been undertaken by a registered safety audit practice. The latest package of off-site works including the enhanced traffic-calming scheme seek to address many of the RSA's comments and recommendations. This package suggests that a stage 2 safety audit is undertaken of the detailed design stage and that the Highway Authority should now have sufficient assurance that the proposed means of access are acceptable.

1.9 The following measures are proposed to address the ecological issues that arise with the development of this site.

- A 50m protection zone is provided between any development and the two oaks supporting the nest and roost; this is demarked by a combination of native woodland, specimen trees, wild flower seeding and plugs;
- A 30m radius Barn Owl exclusion zone is proposed in perpetuity. The buffer will be demarked by available translocated hedgerow which will be enhanced with new planting where appropriate. The Hedgerow is to be translocated in Autumn/Winter 2018/2019. Rough Tussocky Grass Sward is to be planted within the 30m exclusion zone;
- Native woodland is to be planted between the existing Oak trees and the proposed access road via Crick Road. This will be intercepted by hedgerow and specimen trees;

- A gravel path is proposed between the translocated hedgerow (30m exclusion zone) and the 50m protection zone;
- A single barn owl box is to be erected to the mature oak tree prior to March 2019;
- A minimum of 1 offsite barn owl box is required to be installed suitable within 200m of the site boundary; location to be agreed with the local authority ecologist.
- A monitoring programme is to be completed up until, during and post development construction (to be managed via a suitably worded condition).
- A Construction Method Statement to manage the impacts of the construction phase on local biodiversity to be secured via a suitably worded condition.
- It is acknowledged that further ecological survey work may be appropriate to fully inform the full drainage strategy.

#### 1.10 Public Consultation Exercise

- (i) Monmouthshire County Council's Estates Team hosted four engagement events across May 2015 to provide local residents with the opportunity to help guide development of the site via the Council's proposed Master Plan. Comments were invited on Access/ Transportation; Open Space Provision; Employment and Sustainability. A total of 115 forms were received by the prescribed deadline. The aspects highlighted as the most important under each heading were:
- Need for traffic management measures
  - Retention of existing trees and hedges
  - Provision of office accommodation
  - Energy efficient eco homes
- (ii) Melin Homes and Monmouthshire County Council's Estates Team hosted an engagement event on the 31st January 2018 to ensure the local community were consulted and engaged as part of the development of the site in accordance with guidance. Four exhibition boards were produced to introduce the client and the benefits of the proposed development. These boards included the site in context, an illustrative site layout and example street views.
- (iii) In addition to this a statutory Pre-Application Consultation has been completed in accordance with Part 1A 'The Town and Country Planning (Development Management Procedures) (Wales) (Amended) Order 2016" (2016 Order). The findings of this consultation have been set out in the accompanying Pre Application Consultation (PAC) Report and para 5.36 below.

1.11 This application has been advertised as a major application.

## 2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2018/00696	Outline application (with all matters reserved except for access) for residential development of up to 291 dwellings, a care home and public open space, landscaping and associated infrastructure works	Pending Determination	

## 3.0 LOCAL DEVELOPMENT PLAN POLICIES

### Strategic Policies

S3 LDP Strategic Housing Sites

S4 LDP Affordable Housing Provision

S13 LDP Landscape, Green Infrastructure and the Natural Environment

S16 LDP Transport  
S17 LDP Place Making and Design  
SAH2 LDP Crick Road, Portskewett

## **Development Management Policies**

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

## **4.0 REPRESENTATIONS**

### **4.1 Consultation Replies**

**Portskewett Community Council:** response awaited and will be reported as late correspondence.

**Caerwent Community Council:** Refused

- Increased traffic main arterial route for Bristol and Newport traffic
- Not enough details about traffic movements in Caerwent/Crick
- Caerwent will be a major traffic route
- Crick Road junction with A48 very narrow with no footpaths; already stretches back by 5/6 cars and the driveways on Crick Road are blocked. This will only worsen the situation
- Additional traffic will exacerbate the speeding problem we already have in the area
- Horse boxes use this highway and worsen the situation
- Infrastructure not adequate and will put unnecessary pressure on already over-subscribed public services schools/GPs/Dentists/Police
- This application together with the associated development at Sudbrook and Caldicot will potentially bring 1500 people into the area with the associated sustainability and traffic problems that this brings.

**Mathern Community Council:** objects to the above proposal and outline their concern for the above application.

The local infrastructure is not adequate to accept such a large increase in traffic. At peak times the motorway junction to the M48 and Larkfield roundabout are currently heavily congested. Should this proposal be accepted the situation will become significantly worse. Additionally, vehicle pollution, which is already compromised on A48. Pwllmeyric and Hardwick Hill would be significantly adversely impacted by the proposal.

The accident black spot in Pwllmeyric would be exasperated.

Local school infrastructure, hospital and social care facilities are also not adequate to accept an increase in population of the nature proposed.

**Caldicot Town Council:** response is awaited and will be reported as late correspondence.

**Dwr Cymru Welsh Water:** Approve subject to conditions

The foul and water hydraulic modelling assessments have now been completed, a number of possible network reinforcement solutions to overcome detriment in the foul network have been identified and a single solution has been developed for the surrounding water mains network. The network reinforcement works will need to be completed prior to any sewerage or water connections being made, we will seek to control this through recommended conditions requiring a foul water drainage scheme to be submitted and approved prior to development commencing and no part of the development to come into use until this has been fully implemented. Secondly a

condition is recommended requiring a potable water network scheme to accommodate the potable water demand from the site prior to development commencing and again having to be fully implemented before the site is brought into use.

**Natural Resources Wales:** Approve subject to conditions

We have reviewed the following information

Drainage Report - Crick Road, Portskewett. Asbri Planning Limited, Project Reference: 16.516, dated April 2018.

The proposed site is located within the Great Spring Source Protection Zone 1. Source Protection Zones are designated by Natural Resources Wales 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.

We note that details on the foul and surface water drainage have been provided. We understand that foul water will be disposed of to the mains sewer and that discussions with DCWW are underway for the exact location of connections to mains sewer. We also note that the soakaways are not suitable for the site and that surface water drainage will be to local watercourse. However, we note that there are no details on the type and level of treatment used prior to discharge to the watercourse, condition requiring a scheme to dispose of surface water (including its treatment prior to discharge) to be submitted and approved in writing by the local planning authority.

Ecology : We have reviewed the submitted 'Phase 1 Habitat and Species assessment and Bat and bird assessment' prepared by Just Mammals Consultancy, dated August 2014 and additional 'Phase 1 Update Letter dated May 2016'. We note that the above report has identified that bats were not using the application site. We therefore have no comments to make on the application as submitted in relation to bats, a European Protected Species. We recommend you seek the advice of your in-house ecologist for other matters identified within the submitted surveys.

**Gwent Glamorgan Archaeological Trust:** Recommends approval with conditions (due to its proximity to prehistoric and Roman activity).

**MCC Biodiversity Officer:**

Ecological Assessment: Several surveys and assessments have been undertaken to inform the allocation of the site and the planning application:

Priority Habitat: Hedgerows

The site includes a number of hedgerows with a varying degree of ecological quality that cross the site as illustrated by the hedgerow assessments. The most 'Important' hedgerow is along the eastern boundary with the existing residential area. This will be retained but will be incorporated into the rear gardens of new properties. This will ultimately lead to its degradation however, additional planting is being made across the site which will help to compensate for this.

Other hedgerows across the site will be largely retained as indicated by plans illustrating strategic landscaping. Where gaps need to be created, sections of hedge removed will be considered for translocation and used to bolster vegetation to be retained elsewhere. Detail of hedgerow protection during construction shall be secured via a Construction Environmental Management Plan (condition) to be submitted with the Reserved Matters application.

Outline methods of translocation and additional planting have been submitted in the Technical Note but the detail will need to be secured via planning condition and the long term management of these will be covered by Green Infrastructure Management Plan.

Protected & Priority Species: Barn owl

Barn owl has been recorded using the two mature oak trees in the north eastern section of the site. Barn owl is a Protected & Priority Species (Wildlife & Countryside Act 1981 and Section 7 of Environment Wales Act 2016). As such the species will need to be protected from disturbance during the course of the development and compensation for the loss of wider foraging habitat and

disturbance in the long term will also be a requirement. Such mitigation and compensation will address the requirements of Local Development Plan policy NE1.

Detailed information of the onsite avoidance and mitigation measures have been submitted and are acceptable. These must be controlled via a planning condition. It was hoped that details of the offsite compensation would be secured prior to determination of the application. However, we can control this via a planning condition. Subject to detail, options that have already been presented in the technical note and via personal correspondence are considered to be feasible and achievable.

Nesting birds: Measures to protect nesting birds during the implementation of the application will be included in a Construction Environmental Management Plan for each RM.

Ecological impact of drainage route: It is understood that additional information will have to be secured via a Reserved Matters application as the detail of the scheme is not currently available. Walkover assessment of this area indicates that there could be significant ecological constraints that may influence the scheme design.

Reptiles were considered during the initial survey in 2014 and then again during the Phase 1 survey undertaken in 2018. The conclusion of the 2018 assessment was that the riskiest area is at the southern limit of the site in the transition between the farmland and the railway line (which I believe is outside the red line but could be affected by the drainage proposals in future applications). The Construction Environmental Management Plan (Biodiversity) should serve to cover the risk of killing/injury of reptiles during construction. The retention of hedgerows and landscape proposals should enhance the overall site in the long term. The railway corridor provides a refuge and connectivity to other habitats and when detailed drainage proposals are available we will need to consider this species again.

#### **MCC Green Infrastructure Team:**

The following GI response has been informed by colleagues from; landscape, biodiversity, prowl, trees, play/ adult rec, open space and flood management.

The proposal has gone a long way to addressing initial concerns raised at the pre-application and subsequent design workshop. Key points such as connected multi-functional green space, incorporation of community growing, retention of protected habitats, opportunities for formal and informal play, connection to and opportunities to access key walking routes beyond the site are all these factors that the scheme has sought to embrace thus contributing towards at 5 key GI functions identified in the GI SPG ;

- Green space provision connectivity and enjoyment (leading to health and well-being benefits through creation of greenspace, access to the prowl network, and play and recreation),
- Local food production (through opportunities for community growing)
- Habitat provision and connectivity (orchard and habitat creation and management of greenspace grassland) tackling;
- Landscape setting and quality of place (through reflecting high quality design complementing the conservation area character).
- Flood attenuation and water resource management and sustainable energy uses (through opportunities for surface water drainage systems, incorporation of street trees and helping tackle climate change issues).

In delivering these opportunities, the proposal will help towards delivering Welsh Governments "Well-Being Goals", "Monmouthshire Well-Being Objectives", as well as seeking to address the "Biodiversity Resilience Forward Plan Objectives".

1. In the pre-application a full LVIA was requested -it has been acknowledged that this has now been completed, and I am satisfied with this submission.
2. The Green Infrastructure Assets and Opportunities plan is satisfactory however the opportunities plan should have extended beyond the site boundaries as per the assets plan.
3. The Landscape Layout plan still doesn't show gated access for maintenance/future access into the exclusion zone area G.



4. Opportunities for seating and interpretation hasn't been incorporated. I will include these in the Landscape condition.
5. All existing hedgerows, woodland and parkland character to be protected and reinforced as part of the new development and integrated into accessible green corridors.
6. We are pleased to note that design principles have been incorporated into the Strategic Masterplan Rev C.
7. SuDS - the new SuDS legislation takes effect from 7th January 2019. The potential SuDS features on the plan are noted, however the surface water drainage proposals will need to comply with Welsh Government's national SuDS standards and the applicant will need to submit an application to MCC as the SuDS Approving Body when this legislation comes into force. As part of these standards we would require an integrated SUDs system that maximises the capture of surface water run off throughout the whole development: For example proposals should incorporate rainwater gardens, permeable paving and a clear system of innovative drainage channels leading to the ponds, not only creating a more comprehensive system but also a more dynamic ecologically and visually diverse one. Under the GI 1 policy surface water management is a requirement of GI delivery (see the GI SPG).
8. The attenuation pond proposed needs further thought in terms of design, size and location. I will include this in the landscape condition but for information highlight the following. In particular, further consideration should be given to:
  - A more integrated SuDS system that maximises the capture of surface water run off throughout the whole development. For example, proposals should incorporate rainwater gardens, permeable paving and a clear system of innovative drainage channels leading to the ponds, not only creating a more comprehensive system but also a more dynamic ecologically and visually diverse one.
  - The biodiversity value of these area particularly for species and habitat diversity. Appropriate planting and management will be the key to achieving this.

**MCC Landscape Officer:**

The Landscape Sensitivity and Capacity Study has identified the site as being of Medium Landscape sensitivity The most sensitive part of the area is east of Crick Road and around Little Ballan including pastures on rising ground with associated woodland which are locally prominent and of positive landscape character. A less sensitive area is on lower lying land to the south adjoining, and influenced by, existing development. This part of the area has limited intrinsic value although it appears to separate Portskewett from Caldicot, although this is not the case. The area around Mount Ballan has a semi-rural character, which is enhanced by standard oaks and has clearly separated the settlement and is close to the Caldicot Castle Conservation Area. There is Medium Housing capacity: this is limited to the least sensitive part of the area to the south, on lower lying land west of Crick Road as this links into existing housing and is contained by rising land to the east. Other parts of the wider area were considered unsuitable for housing, especially the rising parts west of Crick Road and the north close to the M48 due to their character, local prominence and separation from the settlement.

Landscape Summary: Overall the site has been identified as having medium sensitivity and capacity for housing resulting from its location adjacent to existing development. Caldicot Castle and Country Park acts as an important green buffer separating the settlements of Caldicot and Portskewett and offers an important recreational opportunity to local residents. The proposal has sought to address key views and vistas and retained buffers in the more elevated sections of the site to offset views in the wider landscape.

**MCC Tree Officer: Approve**

Recommends a condition requiring a Tree Protection Report to be submitted prior to development commencing

**MCC Education Officer:**

Having reviewed the capacity of schools within the area I can confirm that we would need to seek education contributions should this development proceed.

The development of 218 dwellings (this figure does not include affordable units) we forecast to generate 47 primary age pupils. The catchment school / primary schools within a 2-mile radius of the site have very limited capacity, and with the other two developments in the area that have

already obtained planning permission (Papermill and Shipyard) we forecast to be unable to accommodate these 47 pupils.

Our claim therefore would be for 47 pupil places for primary age children against the agreed formula.

We would not be required to claim contributions for secondary age children.

### **MCC Highways:**

#### Comments July 2018: Concerns expressed

It is recommended that all internal estate roads will have design speed of 20mph or less and will be constructed to adoptable standards enabling their future adoption pursuant to Section 38 of the Highways Act 1980.

In principle, I have no objections to the proposed development from a traffic impact perspective but would question the robustness of the public transport analysis, sustainable transport provision (walking and cycling), the means of access and the mitigation / improvements to the B4245 and Crick Road.

Application to be deferred and applicant requested to submit the appropriate level of detail and analysis and detailed design to clearly demonstrate the impact of the development and the deliverability of the following but not restricted to the following;

B4245 Means of Access

Crick Road Means of Access

B4245 Footway/Cycleway

Crick Road Footway/Cycleway

B4245 - revised 30mph speed limit, gateway features and traffic calming/engineering measures.

Crick Road re-engineering and traffic calming

The Transport Assessment, particular local transport, bus provision should be reviewed and a strategy for the delivery of improved and more accessible bus provision provided to create a more sustainable development. In the event the Planning Authority are minded to approve the application I would welcome the opportunity to provide suitably worded conditions and the highway authority will expect the developer to enter into a Section 106 Agreement.

#### Highway Comments: October 2018 Recommend Approval subject to conditions and S106 Agreements

Further to my earlier comments provided on the 10th July 2018, I would offer the following additional comments following receipt of additional information in support of the application with particular reference to the following;

Illustrative Masterplan Drawing No. 16117(05)200/B

Strategic Masterplan Drawing No. 16117(05)205/B

Road Improvements Works to B4245 Sheet 1 Drawing No. S.7564-RD1/B

Road Improvements Works to B4245 Sheet 2 Drawing No. S.7564-RD2/B

Road Improvements Works to B4245 Sheet 3 Drawing No. S.7564-RD3/B

Proposed Road Narrowing on Existing Bridge B4245 Drawing No. S.7564-RD4

Proposed Footpath Link Crick Road Drawing No. S.5764-RD5

Proposed Traffic Calming Measures on B4245 & Crick Road with extended 30mph Zone  
Figure 1 Rev A

Proposed Traffic Calming Measures on B4245 Figure 2 Rev A

Proposed Traffic Calming Measures on Crick Road Figure 3

The additional information and drawings submitted in support of the application clearly demonstrate that;

A footway along the B4245 in a south-westerly direction from the site main entrance to the existing footway(s) at the roundabout (B4245/Caldicot Road) can be provided within the limits of the

available publicly-maintained highway. The width of the B4245 where it bridges over the disused rail line can be narrowed to accommodate the footway.

A footway along Crick Road from the site entrance in a south-easterly direction to the existing footway at the junction with Treetops can be provided within the limits of the available publicly maintained highway

The control and use of the secondary means of access onto Crick Road has been considered insofar as the draft masterplan has been amended and re-engineered to discourage through traffic to and from Crick Road but still providing a secondary link for public transport and emergency services etc.

#### Recommendation;

In light of the aforementioned and previous comments provided on the 10th July 2018 and that the application is for outline approval, with all matters reserved except access, the highway authority offer no objections to the application as the development would not lead to a deterioration in highway safety or capacity on the immediate highway network. The application demonstrates that an acceptable means of access(s) can be provided as well essential off site walking/cycling links and local highway improvements.

Relevant conditions are therefore recommended to be imposed on a planning consent requiring a Construction Traffic Management Plan (CTMP), details for future management and maintenance of the proposed streets, detailed design, safety audits and technical audits for the proposed means of access onto the B4245 to be submitted, detailed surface water management scheme to be submitted.

The highway authority also require the applicant / landowner to enter into a legally binding agreement (S106 of the Town and Country Planning Act) for the following;

- Provide a financial contribution to enhance and improve the local bus service(s)
- To enter into a Section 278 Agreement, Highways Act 1980 for:
  1. The proposed B4245 junction and B4245 improvements all footways, street lighting, the narrowing of the bridge, islands, road markings and signs, bus stops, etc.
  2. The proposed Crick Road junction and Crick Road improvements, footways, road markings and signs, etc.

#### **MCC Transport Planning & Policy Officer:**

The site is not served by any bus service. Nearby services are the X74 (hourly) and the 75 (4/5 buses per day), both travelling to the south along Caldicot Road. I did previously ask whether a footpath connecting into Arthurs Court would be possible, as there is a bus stop near the Caldicot Rd/Arthurs Court junction, and this would mean reasonable accessibility at least for the southern half of the development.

As to the two bus services, the X74 connects Newport, Caldicot and Chepstow and is the main bus service in the area. It also serves Portskewett and it is unlikely that it can be rerouted to serve the new development. The 75 is a local feeder service, connecting Sudbrook, Portskewett (Church) and Caldicot (and then onto Caerwent). This service is currently under pressure, but it could and should be rerouted to serve the new development, but it would need its frequency enhanced. I believe a contribution of £50k to prime-pump a continuing and better bus service to Caldicot town centre would be helpful.

#### **MCC Drainage Officer:**

As Lead Local Flood Authority, we offer the following comments on this Outline Planning Application.

We have knowledge of surface water runoff from hills to the east of the proposed development site flowing along Crick Road and into the Treetops Estate (to the south-east of the proposed development site). The water flooded two garages in December 2012. It is understood that a simple ramp structure was subsequently constructed on Crick Road which protects the Treetops Estate from such flooding.

We recommend that the applicant considers potential surface water flows from Crick Road and the hills to the east, and undertakes their detailed design to avoid such flows adversely affecting the proposed development. Condition is proposed that secures the submission of the relevant information required at the detailed stage.

**MCC Housing Officer:** There should be 73 affordable units plus the additional 7 bungalows that is being funded through the SHG programme.  
7 x 3p2b bungalows (grant funded)

18 X 2 person 1 bed flats  
26 X 4 person 2 bed houses  
29 x 5 person 3 bed houses

#### 4.2 Neighbour Notification

To date there have been 56 representations received in response to this application. The points raised are summarised below:

Neighbouring property backs almost immediately onto a plot with little separating distance obscuring rear windows overshadowing kitchen window. Please give consideration to having this one single house removed from the plan or that the layout is redesigned so that its presence is not to the detriment of our home.

Neighbour backs onto pumping station - noise and odour problems, more landscaping required

Services already over-subscribed schools, GPs, Dentists

Traffic problem local residents already struggle to get out of Arthurs Court

Building land is low lying and retains high volumes of water - resulting in an aggravated surface water drainage system when this site is developed which will impact neighbouring properties

Radon gas in the area

Increased air pollution resulting from rise in car use

Originally site allocated as low relief industrial development; Council changed to residential

New development imposes significantly on established dwellings

Query impartiality of application when MCC is the applicant and is developing the site in partnership with a developer

Why hasn't a larger housebuilder come forward? Questions how appropriate the site is for development

Site should be left alone to absorb surface water drainage

TA shows development will result in 1423 trips, 145 during peak time morning and 153 peak time evening - significant impact on existing residents of Treetops turning right to Portskewett

Narrowing of road to create footpath will increase congestion further particularly during peak times and when the David Broome event centre is running an event with horse boxes aggravating the existing issue

The proposal is contrary to Strategic Policy MV1

The proposal shows no improvement of the existing junction of Treetops onto Crick Road but does show a new junction coming off this road with no improvements proposed to this section of the highway which is poor and can barely allow 2 cars to pass - there should be a new footpath for the whole length of the proposal

Parking is undefined causing a hazard - development cannot accommodate it properly with the road width and allocation given on the layout

PAC report states that MCC has identified sufficient provision for education and health services- this is unfounded - residents struggle to get appointments at the doctors

Welsh Water has objected to the development, as public sewer does not have capacity to accommodate the development. Welsh Water has identified a water supply problem with no plan for an upgrade

The storm water drainage plans show an off-site sewer going to the Nedern Brook at Caldicot Castle. The plan identifies a clash with a high-pressure gas main and underground cables, the HSE have identified this in the report; have the costs for this been factored in?

Too large a development for its location. Part of the attraction of living in a semi-rural village is because it is semi-rural. Over development will massively detract from this. Too much urbanisation will fundamentally change the community, aspect and functionality of this small village.

Hedgerows - The Landscape Strategy within the plans seeks to build on the retention of the boundary hedgerows and this is reinforced by the planting of significant lengths of new native hedgerows. These provide the site with a landscape backbone, enhancing the biodiversity. The plan refers to a ten year Management Plan to include Hedgerow Management including promotion of nature conservation interest. However, the Landscape and Visual Appraisal Report (LVA) refers to boundary hedgerows being within the private domain of house back gardens. Therefore there is no guarantee that the new residents will maintain the hedgerows in the way envisaged and promoted within the plan. The hedgerows should not be within the private domain but rather there needs to be an area of access along the hedgerows for proper maintenance.

Net Density: The plan seeks to build up to 300 residential properties. Given the acreage of the residential development, reaching this number will be in breach of net density requirements which provide for no more than 30 dwellings per hectare. This criterion is also referred to in the LVA. The density is 37 dwellings per hectare.

The report further describes the requirements to ensure that existing residential areas characterised by high standards of privacy and spaciousness are protected from overdevelopment and insensitive or inappropriate infilling. The proximity of the new dwelling to those in Treetops immediately on the other side of the boundary hedgerow invades this privacy.

The LVA refers to houses on Treetops backing onto the site would experience a moderate magnitude of effect at all stages of development resulting in a major-moderate significance of effect on these high sensitivity receptors. Again an area of access to the hedgerows to enable maintenance will mitigate encroachment on this privacy. MCC have used specialised equipment for its maintenance for at least the last 24 years, cutting it to a height of between 8 and 10 feet at the permitted time of year. If entire responsibility were passed to residents, who are liable to be transient, how would you be able to ensure that they are fulfilling their obligations and how would you deal with non-compliance? Maintenance and preservation should rest with Melin or MCC. This would require adequate access for the appropriate heavy duty machinery required to carry out the work on the hedgerows.

The planning application is for an outline application with all matters reserved except for access This is too vague; cannot support a planning application which does not give specific designs for dwellings within the site.

During the period of consultation, the architects gave assurances about the placing of two and two and a half-story dwellings and the number and positioning of affordable homes. If they can give those assurances in consultation, they can also include them in the planning application.

These plans have been drawn up against an out of date site plan of Treetops e.g. properties adjacent to the development have been extended and the proposed plan would not comply with the Right to Privacy. Any housing backing onto existing dwellings needs to satisfy the privacy requirements in respect of height, distance and angle of view

The Monmouthshire LDP Policy DES 1 criterion l) is 30 dwellings per hectare. There is 7.6 hectares available for residential dwellings on the Crick Road development which equates to a maximum of 228 houses. This is significantly less than the 285 referred to in the LDP and the figure of up to 300 is a 31.58% over build.

Reference is made to the Site Pro Forma, MCC, Joint Housing Availability Base 2018 and the LDP for the figures. The number of homes per hectare in the MCC Local Development Plan is 30. This then is a total of 233.1 homes, way less than the application. The 0.1 will no doubt be the pumping station, that being an issue in itself.

Pedestrian safety is at risk, children walking to school from the new development will be particularly vulnerable.

Traffic from Sudbrook, increased in volume by its new development, will without doubt use Crick Road and the B4245 to go towards Chepstow rather than via Leechpool Holdings to Parkwall Roundabout. There is a real need for steps to be taken to minimise the volume of traffic using Crick Road as a short cut to and from the village and the B4245.

If the Care Home was repositioned on the development to the area nearer Crick Road, below the embankment, this would also reduce the amount of traffic needing to access the development via the Crick Road. It would then benefit from a virtually direct access from the B4245, giving improved access to emergency and NHS transport, medical and catering deliveries etc.

Seventy plus houses being allocated to social housing is also a much too large ratio for the village compared to what we have now.

20+ years of beautiful views, brought our children up in the village with plenty of green areas for them to appreciate, this development impacts on this.

We have one pub and one shop which has very little parking.

Social housing will bring house prices down and deteriorate the look of the area. I moved here to get away from the problems that come with social housing as did many others.

This small village of Portskewett is losing its identity.

The assertion by one of the developers that the label of 'main entrance' for the entrance on Crick Road would reduce the use of the side entrance is disappointing and naive. The construction of this entrance should be rejected.

There is a block of four houses on the boundary between the development and Treetops. I strongly oppose their placement here. As an owner-occupier who is having the development imposed on me, I have no choice but to deal with whatever is built behind my property. My young family and I were here before the development and I would argue that it is a reasonable expectation of homeowners on Treetops that the properties built around the boundary will be of a similar nature and character i.e. detached two storey homes. New residents buying any of the 300 homes proposed will be able to look at the plans and decide on where they want to live and what they want to see before they invest their money. That luxury is not available to me. Having this mini-terrace behind my house will impact on the reasonable enjoyment of my property in several ways, such as extra noise (as four families instead of one behind me), reducing the hours of

daylight I will get in my garden etc. Whilst it is true that any development will impact on these aspects, a block like this will amplify it.

There is no proper plan for the maintenance of the protected hedgerow that will run along the boundary of Treetops and the proposed development. It is not acceptable to make it part of the new homes' boundary and expect these homeowners to maintain this important local wildlife resource. The houses running to the boundary should be properly fenced at the end, with an access path for maintenance behind them, in line with the Barn Owl and Hedgerow Assessment.

Oppose the removal of internal parts of the protected hedgerow on the site as shown on the plans. It is not acceptable to take this away simply because it is expedient for building more houses. The answer is not to remove the hedge, it is to build fewer houses. The hedgerows and the site itself is species rich and an important resource for wildlife, as the hedgerow assessment confirmed. Transplanting the hedgerow will uproot and damage the wildlife population, further increasing the risk of abandonment of the barn owl nesting site. The development should leave these where they are and build around them if necessary, whilst planting new hedgerows to protect the barn owl site.

The plans for safely linking this site to Caldicot with a foot and cycle path are wholly inadequate. I consider it a disservice to the existing community and the new one you are proposing to build that you are not doing more with the bridge over the disused railway line (such as widening) to make it a safe link. As the village school is already over-subscribed, any new school age children will need to be educated in Caldicot. Are they going to be able to walk to school? It does not look like it on the plans I have seen, so in effect you are forcing more cars onto the road during the school run, negatively impacting on child safety and the environment. Just as worrying is the lack of equality for accessing education for families without cars.

What happened to proposed low level housing around the outside of the site - this is high density.

Question how the introduction of a pathway to the proposed development will be beneficial. You need to take a serious look at the pinch point just above the school. Have you ever tried crossing this road? Trees and foliage hang over on both sides and make it extremely difficult to see oncoming traffic especially as you plan to increase the volume of traffic, which in turn increases the volume of pollution.

The bus service has been cut back to the bare minimum.

Access to the local comprehensive school is poor.

The junction of the Crick Road with the B4245 would be incredibly dangerous. It can already be difficult to navigate this junction from the Crick Road as traffic on the B4245 is often travelling at 60mph (or faster!) and at peak times the gaps between cars is negligible.

Crick Road into Portskewett is too narrow to allow more traffic. It already acts as a main route into the village for many in both Portskewett and Sudbrook, passing the ARW primary school. Although the deliberate narrowing of the road to deter speeding has helped a bit, it needs additional measures to reduce traffic movements and speed. Make it an ENFORCED 20mph speed perhaps?

Traffic movements to and from the ARW school cause mayhem. This is particularly true at pick-up time when parents choose to park in the most inconsiderate and even dangerous places. Any access from the site directly onto the Crick Road will only encourage parents to drive to the school rather than to walk. Please do not put an access road from the site onto the Crick Road.

The Crick Road needs to be widened to allow a pavement to be installed along its entire length if the development is to be approved. At present, there is no pavement beyond Treetops, and the speed limit is 60mph!

It seems from the proposed amendments to the plans that the potable and waste water issue still hasn't been addressed as previously raised by Welsh Water. Local infrastructure needs to be addressed.

Existing HGV Prohibition sign to prevent HGV access to Crick Road is generally ignored by most goods vehicles that require access through to Portskewett village and the Sudbrook area. Please note this route is also used by Monmouthshire's yellow buses. The plan suggests extending the system of humps and narrowing. Yes, let us take the cheapest option, instead of widening the road for the extra traffic; create a bottleneck.

Does Highways plan to adopt all these roads and maintain them which they currently only patch up regularly on Crick Road making it look very run down. Parking proposed is inadequate. Off road parking within the proposed development for now and the future isn't sufficient, what number of parking spaces are you allocating per new proposed property?

The Council will be aware that the Welsh Minister for the Environment has now signed the Commencement Order for sustainable drainage systems (SuDS). This brings Schedule 3 of the Flood and Water Management Act 2010 into force in Wales. From January 7 2019, after this date all proposed new developments in Wales must include SuDS. These must comply with the Welsh Ministers Standards and be signed off by the SuDS Approving Body. Since this is a major point of objection on this planning application surely this planning should not be considered by our council until the new legislation comes into force just weeks later.

The act enshrined core principles that developers must follow:

- Water to be managed on or as close to the surface and source of the runoff as possible.
- Ensure pollution is prevented at source, not rely on the drainage system to treat it.
- Protect people from increased flood risk, and the environment from ecological changes in flow rates, patterns and sediment movement caused by the development
- Use a Management Train in series across a site rather than a single end of pipe feature, such as a pond, to serve the whole development SuDS should perform safely, reliably and effectively over the design life of the development. They must take into account the need for reasonable levels of maintenance
- Avoid the need for pumping where possible;
- Be affordable, taking into account both construction and long-term maintenance costs and the additional environmental and social benefits afforded by the system.

I fail to see why there is a sense of urgency to get this planning application put before Council in November? It should wait until the new legislation comes into force to protect the existing residents.

The photographs submitted by Melin show homes that are totally out of keeping with houses in the area.

MCC should be acutely aware that it has already wasted public money by installing and then having to remove humps/ramps on Crick Road as they caused additional flooding in Treetops.

Conditions recommended by NRW have not been met concerning disposal and treatment of surface water to prevent contamination of local watercourse as site is located within SPZ1 area.

Drainage report 7783110 states that surface water will be discharged to a water course north-west of the development which in turn discharges into Neddern Brook close to the grounds of Caldicot Castle. This is the Brook which already floods during winter months along with some fields around Caldicot Castle (see google maps for images) and with extra water could potentially flood the lower parts of Castle Lodge Crescent who have already had a flooding problem during recent years.

Hard to believe that the neighbouring development of Treetops utilise soil infiltration for all surface water drainage (both road and buildings) yet the soil just a few meters away tested unsuitable for the same thing. Where is report 11911/JJ that details this, and why has it not been made available for viewing?



The surface water drainage proposed for this development does not meet Schedule 3 of the Flood and Water Management Act 2010. With regards to local infrastructure the LDP states, 'There is a need to ensure that adequate infrastructure is provided to support new development, including provision of sufficient water and sewerage infrastructure without any adverse impact on water quality, protecting where necessary existing open space and community facilities, facilitating the provision of new facilities and requiring new development to make a contribution to the provision of community infrastructure' (contributing to the bus service does not count). This is clearly not being met due to already oversubscribed doctors surgeries in both Portskewett and Caldicot with clearly no plans to expand, plus an at capacity local school with no plans to expand.

In the LDP: Health and Wellbeing. While Monmouthshire performs relatively well on indicators relating to health, there is a need to promote opportunities for healthy living and access to health care particularly in the context of an ageing population. LDP objectives are: To ensure that appropriate infrastructure (to include community and recreational facilities, sewerage, water, transport, schools and health care etc.) is already in place or can be provided to accommodate new development. MCC is clearly not meeting the criteria of its own LDP.

A reduction of nine houses is neither here nor there; a reduction of a much larger number is needed.

The land that has not been fenced off on the development site by no 1 Castle Court is now very overgrown and an eyesore as no one appears to have responsibility for it.

More pedestrians using the road.

The intention of the new plan was that only 25% of the site would be accessed from Crick Road leaving 75% using the B4245 junction. Collapsible security tagged bollards were to be installed for emergency services.

Cherry picked properties for this residential context the purpose as the photos is to only show houses nearby that appear to be of a similar style to those you intend to build. The photos do include two detached houses but have been taken from an angle that does not make it obvious. If the photographer had only taken a picture from the bottom of Crick Road it would show the village green and over towards the green open space of King Harold's field, flanked by large tasteful barn conversions. Indeed the vast majority of residential properties in Portskewett are undoubtedly detached. To have been truly reflective of residential context, photos of houses in Treetops and Arthur's Court which are directly adjacent to the site should have been included.

Development on a greenfield site.

Neighbour will be impacted because currently has wonderful views from the rear garden, the setting sun over green fields and Wentwood on the horizon, and with a gate accessing the fields in question.

The site is walked by neighbours who can view the interesting flora and fauna observing the multitude of insects and birds that frequent the fields. Ecologically rich male and female common blue butterflies, Slow worm, buzzards and sparrowhawks diving for prey. For the last two summers a barn owl has been seen hunting at dawn and dusk - this year it has gone. At para 3.8 of the Landscape and Visual Appraisal it is evidenced that a Barn Owl rests and roosts in one of the old oak trees. It is also evidenced in para 10.9 of the Site Investigation report that an historic lime kiln and building is located near Crick road (but had not been investigated). I am aware of this building and that over the last 12 months someone has removed the tin roof. It is well known that a barn owl, a protected species, raises its young in a barn not a tree. I strongly suspect the removal of the roof was done with the intention of driving away the barn owl.

As a local authority you have a public duty to have regard to the conservation of biodiversity as part of this decision making process. This includes any land, buildings, open spaces and woodland. This development and its appraisals have been biased towards its success to the

detriment of not only residents abutting the fields but the community as a whole as commented on by others.

It is stated in the supporting information that there are no flood issues yet the land is listed in the LDP as having such.

Ecology Report - conveniently missed out slow worms a protected species found regularly in the hedgerow abutting this land by residents

The traffic assessment for this site was done when there was no planning permission (and building) of 250 houses in Sudbrook nor the new site in Caldicot. Both these developments are and will continue to add pressure to both Crick Road and the B4245. Another assessment is needed urgently and an action plan for traffic mitigation is needed for Crick Road before any plans can be passed.

Houses for the size of this site should be a maximum of 240 not 291 as proposed.

Common sense says that the council need to stop bending over to meet their failed LDP plan target and find another area given all its issues.

Application is lacking in information, it is not like the Rockfield Farm application, shows where the affordable homes will be, design of homes. Rockfield has 3 blocks of 4 and 2 blocks of 3 homes, the rest being semi and detached. Looking at rev B of the Melin homes application I counted 26 blocks of homes, no information of type.

Conflict by neighbour on Crick Road with a low loader lorry, which contained a tracked digger on the back and that caused a huge problem. A great example to demonstrate that both a car and a lorry / large vehicle could not fit on Crick Road together. This is a prime example of why the road is too narrow to take this development and you are allowing developers to narrow the road further.

## **5.0 EVALUATION**

The issues to consider when assessing this application are the following:

Principle of the development

Density

Highway implications

Visual and Landscape Impact

Neighbour Impact

Ecology

Drainage and Water

Other Issues: Over-subscription of local services, Radon gas, noise and air pollution

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

5.1.1 This is an allocated development site in the adopted LDP. The principle of development is therefore established. In the Deposit Local Development Plan the site was identified as a mixed use allocation for 250 dwellings together with 2 hectares of employment land in the western portion of the site. At the Hearing Sessions for the LDP in May 2013 it became apparent that the Welsh Government and other interested parties considered that the housing allocations were not sufficient and as a result the LDP Inspector, following an exercise where the County Council advertised 'Amended and Additional sites', agreed to increase the housing element to ensure that the housing land supply on adoption of the plan was sufficient. As such, 1 hectare of the employment allocation was removed in order to increase the residential capacity of the site by 35 dwellings. On adoption of the LDP, the Site was allocated under Policy SAH2 for a mixed use development of around 285 dwellings and 1 hectare of B1 land.

5.1.2 Policy S4 relates to Affordable Housing Provision and states that in Severnside Settlements there is a requirement for 25% of the total number of dwellings on the site to be affordable. The application proposes that 25% of the 291 dwellings be affordable and therefore complies with Policy S4 and SAH2 in principle. Criterion (b) of SAH2 requires that in addition to the standard requirements a Section 106 be signed that includes provision for 1 hectare of serviced land for industrial and business development (Class B1). The application proposes that 0.73ha of the site be given over to a care home. It recognises that this use is not a 'traditional' employment generating use in planning policy terms (i.e. not B1, B2 or B8), but maintains that a care home does provide employment. It notes that the proposed care facility will result in employment generation of approximately 40-60 full time equivalents which, for the size of the site, would exceed many traditional B Class "employment" uses. The amount and type of employment land proposed is clearly of a different type and less than the policy requirement of 1ha set out in Policy SAH2. It is acknowledged, however, that the take up of employment land in the south of the County has been at a slower level than expected and a care home will provide both employment and an important local facility. The LDP still has 40 hectares of undeveloped employment land, much of which is in the south of the county. The Council's Estates Section states that this particular site has been marketed for a considerable period but with no interest for employment development.

5.1.3 Whilst this is an Outline Planning Application with the means of access the only detail to be considered at this stage, extensive reports have been submitted with this application to work in conjunction with the overall Masterplan which had to be submitted as part of the outline submission.

## 5.2 Density

5.2.1 Strategic Policy S17 relating to Place Making and Design is to be considered along with Policy DES1 in relation to General Design. Criterion i) of DES1 requires a minimum net density of 30 dwellings per hectare in order to ensure the most efficient use of land. The neighbour representations are quoting that this site should be accommodating a maximum of 240 dwellings for this site, working off a density of 30 hectares per dwelling. However this strategic site has been allocated in on the basis that it can achieve 37 dwellings per hectare. Planning Policy SAH2 states the site is 10.95ha, this policy allowed for 1ha of employment land and a further area to take account of an existing/potential flood storage area for surface water to the south of the site which it said should be retained for open space. This left an area of some 7.77ha for residential development of around 285 dwellings (again, the policy estimated a density of some 37 dwellings per hectare), "Allowing for 1 hectare of employment land provides a net site area, for residential of 7.77 hectares giving a proposed net density of 37 dwellings per hectare".

5.2.2 In this case a further six dwellings are proposed over the total given (291 dwelling units in total), but the area given over to the care home is around 0.73ha, a little below the 1ha recommended in the policy. Working from the figures given, a total of 2.18 hectares was estimated from the policy to be given across to open space and surface water drainage attenuation. Applying the reduced area of employment (0.73ha) this leaves approximately 8.04 hectares of developable land, this equates to 297 dwellings at the expected density level of 37 houses per hectare. The total of 291 dwellings comes in 6 dwellings less than this (this averages out at 36 dwellings per hectare). This is a direct result of negotiations undertaken with the Planning Department to drive improvements in design with more space given over to Public Open Space and green links within the site. The proposed density is thus policy compliant.

5.2.3 Notwithstanding the above, the exact number of dwellings (up to 291), their size, appearance, layout and relationship with the adjacent homes, will be matters for consideration as part of the subsequent Reserved Matters approval.

## 5.3 Highways and Access

- 5.3.1 Policies MV1 (access and car parking) and Policy MV2 relating to highway considerations and sustainable transport access is of relevance stating that if deemed necessary financial requirements will be required towards improvements in transport infrastructure and services, in particular to support sustainable travel links / public transport, cycling and walking. Criterion c) of Policy SAH2 states that a S106 agreement will be required for provision for any necessary off-site works to improve pedestrian access to and from the site, particularly in relation to the centre of Portskewett and to employment, shopping and community facilities in nearby Caldicot.
- 5.3.2 There are two issues relating to firstly the proposed access and on site works and secondly the proposed off-site works that are to be secured as part of legal agreements.
- 5.3.3 On site works and access to the proposed development:
- 5.3.3.1 The proposals include two new site accesses. The primary vehicular access will be gained via a priority junction with the B4245 to the northwest of the development site. The secondary vehicular access will be gained via a priority junction with Crick Road to the east of the development site, immediately to the north of the Treetops residential estate. The design of the junctions will be to current highway standards. Highways have confirmed in both cases that "with all matters reserved except access, the highway authority offer no objections to the application as the development would not lead to a deterioration in highway safety or capacity on the immediate highway network. The application demonstrates that an acceptable means of access(s) can be provided as well essential off site walking/cycling links and local highway improvements".
- 5.3.3.2 It has been recognised that there is a considerable neighbour objection to the secondary access just north of Treetops. A secondary access, however, was considered to be very important for this site particularly for emergency and service vehicles. Layout changes during the course of the planning application have been made to promote and encourage the majority of residents to utilise the access to the B4245, and concerning the care home this access is located approximately 150m to the north of the proposed care home and will provide residents and employees access onto the strategic road network. The illustrative layout provided clearly demonstrates the layout which coupled with road hierarchies mean that with the exception of the far north-east of the site, the majority of dwellings on the site have a clear access route to a strategic road network via the primary access point onto the B4245.
- 5.3.3.3 With regard to the internal arrangement of the site, this has been laid out in draft as this informs the strategic landscaping and greenway routes that need to be established at this stage. There is a clear hierarchy of routes proposed including the creation of a Greenway forming an extension of the main village street sited alongside retained and new hedgerows. There are associated greenways running perpendicular to the main greenway providing a green route within a more densely built part of the site and framing the pedestrian access onto the B4245. There are secondary streets (which will serve the majority of the housing phases), and a series of mews streets and private drives along with main pedestrian routes. The car parking requirements are not considered at this stage as this proposal is in outline only and will be considered upon submission of reserved matters that follow if the outline application is approved.
- 5.3.4 Off Site Works Proposed
- 5.3.4.1 There are a number of improvements proposed to improve pedestrian links to key areas, namely the local primary school, Portskewett and Caldicot Town Centre, the Comprehensive School and Caldicot Castle. There are additional off-site improvements to the footpath network with a new connection from the Crick Road access to Treetops providing a safe route to school and a new section of footpath from the main vehicular access west towards Caldicot is proposed. This is discussed in more detail below:

5.3.4.2 There are extensive measures proposed to improve access to Caldicot including a new footpath connection proposed between the site entrance with the B4245 and the Castlegate Roundabout via the railway bridge. The re-engineering of the existing highway over the railway bridge enables a 2.5m wide footpath/ cycleway to be incorporated along its southern edge. This includes tapering the existing highway to 6.3m with realignments on both the northern and southern sides, remove the existing vehicular restraint barrier and demark the highway with new Trief kerbing. Pedestrian guard rails are proposed against the existing bridge's southern parapet wall as a safety measure. There are further details submitted of a new tactile crossing facility at the Gas Governor Entrance Junction. A pedestrian island and subsequent 2m footpath along the northern side of the B4245 is proposed to provide ease of access to an informal footpath which in turn lead to the grounds of Caldicot Castle. This coupled with a new crossing point to the grounds of Caldicot Castle to be provided (facilitated by new dropped kerbs whilst utilising the existing traffic island) ensures there is permeability from this new site. The existing residential properties in Treetops and other properties in Portskewett would now benefit from a direct safe pedestrian access to key points in Caldicot including the Castle, Shopping Centre and Caldicot Secondary School. There is currently no pedestrian access serving this area so this development delivers significant improvements in this respect.

5.3.4.3 In addition a Stage 1 Road Safety Audit has been undertaken by a registered safety audit practice. The latest package of off-site works including the enhanced traffic-calming scheme seek to address many of the RSA's comments and recommendations. (The agents have prepared and evolved a preliminary design of a traffic-calming scheme that seeks to restrain speeds on both the B4245 and Crick Road. This has been discussed in detail with officers of the Highway Authority and the scheme is proposing engineering measures to complement the proposed speed limit revisions in the site's vicinity). This has met provisionally with the acceptance of the Council's Highway Engineer, subject to the stage 2 safety audit being undertaken at the detailed design stage.

5.3.4.4 South of the site a footway along Crick Road from the site entrance in a south easterly direction to the existing footway at the junction with Treetops is to be provided and Highways have confirmed that this can be delivered within the limits of the available publicly maintained highway. This provides a direct pedestrian link from an established internal network of Greenways and secondary streets to the primary school and local shop in Portskewett.

5.3.5 Highways have confirmed that for the purposes of this outline application the development as proposed is acceptable subject to relevant conditions imposed on any planning consent. (This requires the submission of a Construction Traffic Management Plan (CTMP); details for future management and maintenance of the proposed streets; detailed design safety audits and technical audits for the proposed means of access onto the B4245 and Crick Road and a detailed surface water management scheme). In addition to conditions, Highways require the applicant to enter into a S106 to secure financial contributions to secure:

- improvement and enhancement of the local bus service (highlighted by neighbour representations as being poor), and
- to secure all the off-site works via a Section 278 Agreement of the Highways Act 1980 for the proposed B4245 junction and B4245 improvements, all footways, street lighting, the narrowing of the bridge, islands, road markings, signs and bus stops; the proposed Crick Road junction and Crick Road improvements, footways, road markings and signs etc.

The proposal meets the requirements of LDP Policies MV1 and MV2 and SAH2

5.3.6 There have been a large number of representations submitted by neighbours raising concerns regarding the highway and safety implication of the proposed development. There have been requests that these points are addressed directly and this is set out in this element of the report. The neighbour concern is shown in italics with the Council's planning/highway authority response given directly below.

*(a) Traffic problem - local residents already struggle to get out of Arthurs Court.*

The Transport Assessment submitted in support of the application demonstrates that the development has no discernible impact on Main Road and particularly the junction with Arthurs Court.

*(b) Building land is low lying and retains high volumes of water - resulting in an aggravated surface water drainage system when this site is developed which will impact neighbouring properties.*

The Council have no records of the land flooding. Any development will be subject to the approval of a surface water management strategy.

*(c) TA shows development will result in 1423 trips, 145 during peak time morning and 153 peak time evening - significant impact on existing residents of Treetops turning right to Portskewett*

The Transport assessment has demonstrated that the increase in traffic generated by the proposal can be accommodated on the local network and the site has been designed so that the majority of traffic leaves via the B road, reducing the impact on Crick Road.

*(d) Narrowing of road to create footpath will increase congestion further particularly during peak times and when the David Broome event centre is running an event with horse boxes aggravating the existing issue.*

There will be minimal effect on the width of Crick Road, as the vast majority of the footway will be provided within the existing verge, any reduction in carriageway width will not materially affect the flow of traffic and create harm or nuisance.

*(e) The proposal shows no improvement of the existing junction of Treetops onto Crick Road but does show a new junction coming off this road with no improvements proposed to this section of the highway, which is poor and can barely allow 2 cars to pass - there should be a new footpath for the whole length of the proposal.*

This was not considered necessary, as the increase in traffic movements on Crick Road does not affect the operation or capacity of the Treetops junction.

*(f) Parking is undefined causing a hazard - development cannot accommodate it properly with the road width and allocation given on the layout.*

The levels of parking will be in accordance with the Council's Adopted Parking Standards. This will be considered as part of the Reserved Matters application.

*(g) The storm water drainage plans show an off-site sewer going to the Nedern Brook at Caldicot Castle. The plan identifies a clash with a high-pressure gas main and underground cables, the HSE have identified this in the report - have the costs for this been factored in?*

This is a matter for the developer to consider; the drainage and surface water management strategy will identify the appropriate route for any off site sewers/drain; any conflict with existing utility apparatus will be subject to separate agreements with the utility companies to either divert or protect their apparatus.

*(h) Pedestrian safety is at risk, children walking to school from the new development will be particularly vulnerable.*

This development offers significant improvements in pedestrian links both to the local primary school and the comprehensive school with the proposed footpath provision and improvements.

*(i) Traffic from Sudbrook, increased in volume by its new development will, without doubt, use Crick Road and the B4245 to go towards Chepstow rather than via Leechpool Holdings to Parkwall Roundabout. There is a real need for steps to be taken to minimise the volume of traffic using Crick Road as a short cut to and from the village and the B4245.*

The Transport Assessment has analysed the impact of the development on the immediate highway network taking into account both the increased traffic generated by the development and committed development in the area such as Sudbrook Paper Mill, Sudbrook, Rockfield Farm, Undy and no significant increase in traffic movements is

predicted. Improvements to Crick Road to provide pedestrian links and control vehicle speeds are proposed.

*(j) If the Care Home was repositioned on the development to the area nearer Crick Road below the embankment this would also reduce the amount of traffic needing to access the development via the Crick Road as it would then benefit from a virtually direct access from the B4245, giving improved access to emergency and NHS transport, medical and catering deliveries etc.*

It is considered that the Care Home will still use this B4245 access point as this is the closest and most direct point of access.

*(k) The plans for safely linking this site to Caldicot with a foot and cycle path are wholly inadequate.*

To widen the bridge, that is ideally the best option would render the whole development non-viable as the cost implications for this are significant. The alternative is to work with the existing carriageway width and narrow it. Highways are satisfied from the information provided that this provides a safe pedestrian and vehicle access route.

*(l) Question how the introduction of a pathway to the proposed development will be beneficial. You need to take a serious look at the pinch point just above the school. Have you ever tried crossing this road? Trees and foliage hang over on both sides and make it extremely difficult to see oncoming traffic especially as you plan to increase the volume of traffic, which in turn increases the volume of pollution.*

This is not directly related to the development but is considered as an on-going maintenance issue and landowners should be made aware of the obligations to maintain hedges and trees so as not obstruct the public highway.

*(m) The bus service has been cut back to the bare minimum.*

There is a S106 contribution towards sustainable transport that will improve this situation.

*(n) Access to the local comprehensive school is poor.*

This would be improved via this development by provision of a footway along the B4245 and provision of pedestrian crossing points at the Mitel roundabout, etc.

*(o) The junction of the Crick Road with the B4245 would be incredibly dangerous. It can already be difficult to navigate this junction from the Crick Road as traffic on the B4245 is often travelling at 60mph (or faster!) and at peak times the gaps between cars is negligible. This would not be compromised by this development as the majority of the traffic will leave from the main access point onto the B4245. The Highways Authority is satisfied with the proposed development.*

*(p) Crick Road into Portskewett is too narrow to allow more traffic. It already acts as a main route into the village for many in both Portskewett and Sudbrook, passing the ARW primary school. Although the deliberate narrowing of the road to deter speeding has helped a bit, it needs additional measures to reduce traffic movements and speed. Make it an ENFORCED 20mph speed perhaps?*

The issue of reducing traffic speeds and improvements is being considered by the highway authority and the developer will be required to enter into agreements with the Council to provide the improvements.

*(q) Traffic movements to and from the ARW school cause mayhem. This is particularly true at pick-up time when parents choose to park in the most inconsiderate and even dangerous places. Any access from the site directly onto the Crick Road will only encourage parents to drive to the school rather than to walk. Please DO NOT include an access road from the site onto the Crick Road.*

Footpath improvements and green links within the site will encourage future residents to use the footpath link and walk to the local primary school.

(r) *The Crick Road needs to be widened to allow a pavement to be installed along its entire length if the development is to be approved. At present, there is no pavement beyond Treetops, and the speed limit is 60mph!*

There will be minimal effect on the width of Crick Road as the vast majority of the footway will be provided within the existing verge, any reduction in carriageway width will not materially affect the flow of traffic and create harm or nuisance. The issue of reducing traffic speeds and improvements is being considered by the highway authority and the developer will be required to enter into agreements with the Council to provide the improvements necessary.

(s) *Existing HGV Prohibition sign to prevent HGV access to Crick Road is generally ignored by most goods vehicles that require access through to Portskewett village and the Sudbrook area. Please note Monmouthshire's yellow buses also use this route. The plan suggests extending the system of humps and narrowing! Yes, let us take the cheapest option, instead of widening the road for the extra traffic let's create a bottleneck.*

The enforcement of Weight Limits is a matter for the Police. As regards the improvements to Crick Road, its widening has not been considered as the analysis in the Transport Assessment submitted in support of the application demonstrates that Crick Road can accommodate any additional vehicle movements generated by the development.

(t) *Do Highways plan to adopt all these roads and maintain them which they currently only patch up regularly on Crick Road making it look very run down. Parking proposed is inadequate. Off road parking within the proposed development for now and the future isn't sufficient, what number of parking spaces are you allocating per new proposed property?*  
The Council actively promote and encourage the adoption of residential streets where they have been constructed to Council standards. Parking will be in accordance with the Council's adopted parking standards.

(u) *The Council will be aware that the Welsh Minister for the Environment has now signed the Commencement Order for sustainable drainage systems (SuDS). This brings Schedule 3 of the Flood and Water Management Act 2010 into force in Wales. From January 7 2019, after this date all proposed new developments in Wales must include SuDS. These must comply with the Welsh Ministers Standards and be signed off by the SuDS Approving Body. Since this is a major point of objection on this planning application surely this planning should not be considered by our council until the new legislation comes into force just weeks later.*

*The act enshrined core principles that developers must follow:*

*-Water to be managed on or as close to the surface and source of the runoff as possible.*

*-Ensure pollution is prevented at source, not rely on the drainage system to treat it.*

*-Protect people from increased flood risk, and the environment from ecological changes in flow rates, patterns and sediment movement caused by the development*

*Use a Management Train in series across a site rather than a single end of pipe feature, such as a pond, to serve the whole development. SuDS should perform safely, reliably and effectively over the design life of the development. They must take into account the need for reasonable levels of maintenance*

*-Avoid the need for pumping where possible;*

*-Be affordable, taking into account both construction and long-term maintenance costs and the additional environmental and social benefits afforded by the system.*

The Council is fully aware of the Commencement Order for sustainable drainage systems (SuDS). This brings Schedule 3 of the Flood and Water Management Act 2010 into force in Wales from January 7th 2019 and conditions if planning permission is granted will require the developer to submit a surface water management strategy for approval prior to commencement of the development.

(v) *MCC should be acutely aware that it has already wasted public money by installing and then having to remove humps/ramps on Crick Road as they caused additional flooding in Treetops.*

It is understood from Highways that the ramp was removed in recent years to improve drainage issues experienced on Crick Road.



*(w) Drainage report 7783110 states that surface water will be discharged to a water course north-west of the development which in turn discharges into Neddern Brook close to the grounds of Caldicot Castle. This is the Brook which already floods during winter months along with some fields around Caldicot Castle (see google maps for images) and with extra water could potentially flood the lower parts of Castle Lodge Crescent who have already had a flooding problem during recent years.*

The Council and Natural Resource Wales are aware of the Neddern Brook issue and the developer will be expected to submit a surface water management strategy that clearly demonstrates how surface water will be managed and controlled and does not increase the risk of future flooding.

*(x) Hard to believe that the neighbouring development of Treetops utilise soil infiltration for all surface water drainage (both road and buildings) yet the soil just a few metres away tested unsuitable for the same thing. Where is report 11911/JJ that details this, and why has it not been made available for viewing?*

*The surface water drainage proposed for this development does not meet Schedule 3 of the Flood and Water Management Act 2010.*

This is not an issue for consideration at this stage; the applicant will be required to submit a surface water management strategy for approval prior to commencement of the development.

*(y) The intention of the new plan was that only 25% of the site would be accessed from Crick Road leaving 75% using the B4245 junction. Collapsible security tagged bollards were to be installed for emergency services*

The highway authority always promoted 2 points of access to promote permeability, but through internal design access on Crick Road was to be limited

*(z) The traffic assessment for this site was done when there was no planning permission (and building) of 250 houses in Sudbrook nor the new site in Caldicot. Both these developments are and will continue to add pressure to both Crick Road and the B4245. Another assessment is needed urgently and an action plan for traffic mitigation is needed for Crick Road before any plans can be passed.*

The Transport Assessment has taken into account committed development in the Local Development Plan, namely;  
Sudbrook Paper Mill  
Vinegar Hill, Undy  
Rockfield Farm, Undy

*(aa) A neighbour driving on Crick Road met a low loader lorry which contained a tracked digger on the back which caused a huge problem. A great example to demonstrate that both a car and a lorry / large vehicle could not fit on Crick Road together. This is a prime example of why the road is too narrow to take this development and you are allowing developers to narrow the road further.*

The Council recognise that the road is not suitable for larger vehicles, hence the introduction of an environmental weight restriction many years ago to reduce the use of the route by vehicles travelling to and from the former paper mill site in Sudbrook. The vehicle in question was contravening the order that is enforceable by the Police.

#### 5.4 Landscape and Visual Impact

- 5.4.1 The application site is identified by LANDMAP as being of high and outstanding value for its cultural and historical value and moderate for its visual and sensory value. The site has been identified as having medium sensitivity and capacity for housing resulting from its location adjacent to existing development. Caldicot Castle and Country Park acts as an important green buffer separating the settlements of Caldicot and Portskewett and offers an important recreational opportunity to local residents. A Landscape Visual Impact Assessment (LVIA) has been submitted with this application as required. The proposal has

sought to address key views and vistas and retained buffers in the more elevated sections of the site to offset views in the wider landscape.

5.4.2 The site has taken into account the drop in levels and avoided the higher steeper areas of the site for residential development and concentrated a significant amount of the Public Open Space to the north-eastern part of the site alongside Crick Road, which is the most open and sensitive part of diamond shaped site. With two other boundaries adjoining existing industrial and residential development and the north-west boundary running adjacent to the strategic road B4245, these boundaries serve to assimilate the proposed development contextually into the surrounding area. The higher, more dense development (namely the two and half and three storey dwellings) are concentrated around the main routes through the site and the central space while the houses to the outer edges are lower, being limited to two storey dwellings, thus reducing the bulk of built form in the outer exposed parts of the site. The majority of perimeter trees and hedgerows, including the four mature oak trees are being retained and integrated as part of the proposed development to help screen and soften the built form within the landscape and to maintain biodiversity.

5.4.3 The design of the site also positively embraces the care home aspect of this development, as the layout demonstrates a commitment to advance a permeable relationship between residential development and the proposed care facility. The layout has been designed using dementia friendly design principles set out in 'Neighbourhoods for Life: Designing dementia-friendly outdoor environments'. This comprises of the following six principles:

1. Familiar:

The functions of places and buildings are obvious – the Care element is to be distinct from housing. Architectural features and street furniture are in designs familiar to or easily understood by older people: Architectural design intent set out in the DAS (broadly traditional architecturally but with contemporary features based on a traditional typology e.g. roofscape, massing, simplicity of key features)

2. Legible:

There is a hierarchy of street types, such as main streets, side streets, alleyways and passages. There is a clear and legible street hierarchy set out in the DAS and Access & Movement parameters plans with distinct design features helping with legibility. Blocks are small and laid out on an irregular grid based on an adapted perimeter block pattern. Streets are short and fairly narrow and with the exception of the principal street the greenway, which follows the line of the existing retained hedgerows, the original illustrative masterplan shows how the majority of the site can be developed with a series of well-connected short streets at the lower end of the street hierarchy where they can be narrower. Streets are well connected and gently winding with open-ended bends to enable visual continuity. Forked and T-junctions are more common than crossroads. Latent cues are positioned where visual access ends, especially at decision points, such as junctions and turnings.

3. Distinctive:

Urban and building form is varied. There is a variety of landmarks including historic and buildings, distinctive structures and places of activity. Key built landmarks include:

- (i) The potential distinct character and form of the care element. Strong architectural character of the main street;
- (ii) Key GI landmarks;
- (iii) The Oak Tree;
- (iv) The Greenway and the retained hedgerow and a route;
- (v) There is a variety of welcoming open spaces, including squares, parks and playgrounds;
- (vi) The secondary open space and attenuation feature along the southern boundary;
- (vii) The informal green spaces that break up the more linear secondary street route along the eastern boundary.

4. Accessible:

Land uses are mixed, residential and care. Services and facilities are within 5-10 minutes walking distance of housing. Potential community uses within the care element within the site, village shops 15 minute walk away. Footpaths are wide and flat.

5. Comfortable:

The outdoor environment is welcoming and unthreatening. Urban areas have small, well-defined open spaces with toilets, seating, shelter and lighting. Well-defined open spaces proposed. There are quiet side roads as alternative routes away from crowds/traffic. Well connected permeable street network is proposed with a clear street hierarchy providing alternative quieter routes. Some footpaths are tree-lined or pedestrianised to offer protection from heavy traffic for example potential to take the principal pedestrian route along the greenway along the quieter private drive side of retained hedgerow and 9m wide landscape route, away from the principal vehicular route.

6 Safe: Footways are wide and proposed to be well maintained and clean.

5.4.4 Detailed design features are to come forward at Reserved Matters Stage. In delivering these opportunities the proposal will help towards delivering Welsh Government's "Well-Being Goals", "Monmouthshire Well-Being Objectives", as well as seeking to address the "Biodiversity Resilience Forward Plan Objectives". Overall, the development will improve the visual impact of the scheme by means of good design.

5.4.5 The site has been driven by Green Infrastructure principles. Key points such as connected multi-functional green space, incorporation of community growing, retention of protected habitats, opportunities for formal and informal play, connection to and opportunities to access key walking routes beyond the site are all factors that the scheme has sought to embrace. The development has contributed towards five key GI functions identified in the GI SPG amongst which is 'Landscape setting and quality of place' in that the design of this scheme at this outline stage has set principles in place through strategic planting and layouts that reflect high quality design. These help to ensure that the landscape and visual impact of this scheme when viewed from key receptors outside the site and from within the site comply with relevant planning policy (LDP Strategic Policy S13 relating to Landscape, Green Infrastructure and the Natural Environment; Policy LC5 relating to the protection and enhancement of landscape and Policy GI1 relating Green Infrastructure).

5.5 Residential Amenity

5.5.1 This is an outline application, and while the means of access is the only detail to be considered at this stage, strategic landscaping has been identified to establish where the Public Open Space is located in relation to internal and external links. This has been delivered with an illustrative layout showing housing and how it works with these links and spaces. The only neighbouring properties that are potentially impacted by this development are located adjacent to the south-east and partly along the south-west boundary. There is an existing established hedgerow along these boundaries, and according to the illustrative layout, these hedgerows are indicated as being retained and forming the rear boundaries of the proposed dwellings. The neighbours have raised concerns that this hedgerow forms a private boundary and therefore is likely to be undermined and eroded by individual householders in the future, thus compromising an important privacy buffer. This feature can be protected by planning conditions to ensure protection and retention.

5.5.2 This aforementioned boundary hedgerow has not been identified as strategic landscaping, and to provide the space to make this hedgerow a strategic element with the relevant maintenance strips would absorb a significant part of the site. This would compromise the strategic open spaces and links that have been created within the site that make a significant contribution to the overall quality of layout. This would affect the permeability that runs throughout the site and beyond into key areas outside of the application site. To do both and retain the hedgerow on the common boundary as strategic landscaping in addition to the areas that are part of the public realm within the site would make the site financially unviable as well as leaving a gap between rear gardens with maintenance

access but no real overlooking, which may lead to future anti-social behaviour issues. Hence, a condition is recommended to protect the hedgerows ensuring they are retained and replaced if damaged, etc.

5.5.3 Concern has been raised by neighbours regarding the privacy distances and the potential overlooking /over-bearing impact upon their properties. These details will be fully considered on receipt of a reserved matters application in relation not only to separating distances but in relation to building heights and mass, land levels, boundary materials etc. It is of note that in the Design & Access Statement the maximum heights are given in the scale parameter plan. The secondary streets (which are illustrated on the plans as backing onto the common boundaries with the said neighbouring properties) are restricted to a maximum of two storeys in height being up to 9m to ridge, and medium to low density housing. The impact of this development upon neighbour properties at this outline stage is acceptable and complies with relevant planning policy.

## 5.6 Ecology

5.6.1 There have been several surveys and assessments that have been undertaken to inform the allocation of the site and the planning application. It is recognised that the site includes a number of hedgerows with a varying degree of ecological quality that cross the site as illustrated by the hedgerow assessments. The most 'Important' hedgerow is along the eastern boundary with the existing residential area. This will be retained but will be incorporated into the rear gardens of new properties and protected by condition to prevent its degradation. Additional planting is being made across the site which alongside the retention of other hedgerows will form the strategic landscaping that will be outside of private ownership and managed to an approved plan. It is proposed that where gaps need to be created, the sections of hedge removed will be considered for translocation and used to bolster vegetation to be retained elsewhere. This will be secured a Construction Environmental Management Plan (condition).

5.6.2 With regard to the Protected and Priority Species: Barn owl. The ecologist is satisfied that on-site avoidance and mitigation measures have been submitted and are acceptable. This is to be controlled via a planning condition. Measures are in the process of being secured for the off-site compensation; a condition is required to ensure that this is secured prior to determination of the application. Other ecological matters, namely nesting birds and the ecological impact of the drainage route, would be resolved at Reserved Matters stage.

5.6.3 The neighbours have raised concern regarding slow worms. Reptiles were considered during the initial survey in 2014 and then again during the Phase 1 survey undertaken in 2018. The conclusion of the 2018 assessment was that the riskiest area is at the southern limit of the site in the transition between the farmland and the railway line (which is outside the red line of the application site but could be affected by the drainage proposals in future applications). The Construction Environmental Management Plan (Biodiversity) should serve to cover the risk of killing/injury of reptiles during construction. The retention of hedgerows and landscape proposals should enhance the overall site in the long term. The railway corridor provides a refuge and connectivity to other habitats and when detailed drainage proposals are available this species will need to be considered again.

5.6.4 At outline stage, the relevant studies have been undertaken and measures have been proposed to satisfy both MCC Ecology and Natural Resources Wales. This is secured through planning conditions. Further detail will be considered at Reserved Matters stage, but at this stage the proposals accord with the relevant planning policies.

## 5.7 Drainage and Water

5.7.1 There have been drainage concerns raised during the course of this application, initially from Welsh Water who originally objected to the proposal and this features as a concern in neighbour representations.

- 5.7.2 Welsh Water, having now been informed by the relevant hydraulic assessments, have subsequently withdrawn their objection and recommend approval subject to network reinforcement works being completed prior to any sewerage or water connections being made. This would be controlled through recommended conditions. A second condition is necessary requiring a potable water network scheme to accommodate the potable water demand from the site prior to development commencing. Again, this would have to be fully implemented before the site is brought into use.
- 5.7.3 MCC's Drainage Team has confirmed that the proposed condition requiring a detailed surface water management scheme (including a programme for its implementation, the ownership of the sustainable drainage infrastructure and details of surface water sewers to be submitted prior to any development commencing on site) is acceptable at this outline stage. This ensures that the correct appropriate information is submitted at a detailed stage.
- 5.7.4 Furthermore, NRW has recommended approval subject to a surface water drainage condition. The proposal has satisfied the drainage concerns at this stage and sought to frame the level of information required to inform a detailed application

## 5.8 Other Issues Raised

### 5.81 *Provision of services*

This application is committed to making financial contributions via S106 agreements towards local public transport and primary school spaces subject to a given formula (this is finalised at detailed stage once further information regarding 2,3 and 4 bedroom dwellings are known). This is averaged out as being 47 spaces with the current draft layout, although this may change at the detailed application stage when more detail regarding the proposed housing is known. Neighbours have consistently raised concerns regarding pressure on local services, in particular local surgeries, that will be intensified by the additional people putting demands on them. This application has been through a rigorous Local Development Plan process and the Health Board were a key consultee as part of that process and have not raised any objections as confirmed by MCC Planning Policy. Aneurin Bevan Health Board (ABHB) would be fully aware of the housing projections in the LDP and would need to provide support for the community.

It is noteworthy that the Health Board has recently commented on the unallocated site at Church Road Caldicot (DM/2018/00880) and are outlining that although there are some capacity issues in the Caldicot practice they can be resolved within the current footprint, of the surgery. That response would have been made in full knowledge of the LDP allocations. There may be a need for the practice to take on additional staff but this would be a consideration for the Health Board and Practice and cannot be secured via s106 contributions which could only be used to help physically extend the surgery, if that was necessary. It is considered that the increase in population projections can be accommodated in the existing health service infrastructure, subject to review by the Board. ABHB stated in the Church Road application:

"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."

It is therefore in the hands of the Health Board to make provision for the additional demand generated by a growing local population. This is not a matter that can be controlled or addressed in this case via planning conditions or financial contributions.

### 5.8.2 *Radon Gas*

Protection against radon gas is a Building Regulations requirement. An indicative assessment has been undertaken by MCC Building Control and the site has a maximum radon potential of 3-5%. This means that 'Basic Radon Protection' measures will need to be incorporated into the scheme, for example membrane to the building slab foundations

and vents. For a development of this size, Building Control would require the developer to submit a site investigation report and within this a radon report is normally included.

## 5.9 Response to the Representations of the Community/Town Councils

5.9.1 The issues raised have been addressed in the evaluation above (namely paragraph 5.3 Highway Impacts and 5.8.1 Provision of Services above). Any issues raised by Portskewett Community Council or Caldicot Town Council that have not already been considered will be addressed in late correspondence.

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

5.10.1 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.

## **6.0 RECOMMENDATION: APPROVE**

Subject to a 106 Legal Agreement requiring the following:

### S106 Heads of Terms

1. Provide a financial contribution of £50,000 to prime-pump a continuing and better bus service to Caldicot town centre.
2. To enter into a Section 278 Agreement, Highways Act 1980 for:
  - (i) The proposed B4245 junction and B4245 improvements all footways, street lighting, the narrowing of the bridge, islands, road markings and signs, bus stops, etc.
  - (ii) The proposed Crick Road junction and Crick Road improvements, footways, road markings and signs, etc.
3. On site play area should be a joint LAP/LEAP (as indicated on the plans), with equipment appropriate for children in the 0-5 and 6-12 age ranges; we estimate the cost of this to be £125,000.
4. Commuted sums to follow upon receipt of areas of open space for adoption, or the required arrangements to be undertaken for a management company to be responsible for the maintenance and management of the open space.
5. Off-site adult recreation contribution of £400,000. This is based upon S106 Requirements that the scheme provides 70m<sup>2</sup> per dwelling (this covers 40m<sup>2</sup> adult rec, 20m<sup>2</sup> children's play and 10m<sup>2</sup> public open space this is in addition to the on-site play contribution just for clarification ). That equates to 70m<sup>2</sup> x 291 = 20,370m<sup>2</sup>, therefore the actual amount of POS they are providing is 10,995m<sup>2</sup>. The shortfall is 9,375m<sup>2</sup>.  
On this basis we would suggest the figure we ask for is just under half of the £957,972, so £400,000.

This sum would be for one or a combination of the following proposals:

- Develop the former MoD railway as an important green corridor and footway/cycle path creating accessible links from the proposed site to Caldicot Country Park.

- Improvements to Caldicot Castle Country Park (which is an MCC managed site close to Crick Road and a major recreation provision in the local area)
- Caldicot Regeneration scheme.
- The Cornfield Project.

#### 6. Education Contributions

Affordable housing is exempt from having to contribute towards education provision. Need (N), therefore, is calculated solely on the market dwellings in a development, according to the following formula:

$$N = A/1000*119 + B/1000*217 + C/1000*294$$

Where:

A is the number of 2 bed market dwellings

B is the number of 3 bed market dwellings

C is the number of 4+ bed market dwellings.

The mix changes the potential number of places that would be required (47 at present). In terms of if there are more two bedrooms then there is potential for less children so less places are needed. At the moment a broad average has been taken and this sits at 47 places. The cost is the 2019 figure which is £17,257 per pupil. This would equate to £811,779.

#### 7. Affordable Housing requirements:

25% (73 units assuming 291 dwellings in total) plus the additional 7 bungalows that would be funded through the SHG programme.

7 x 3p2b bungalows (grant funded)

18 X 2 person 1 bed flats

26 X 4 person 2 bed houses

29 x 5 person 3 bed houses

The final mix will be adjusted based on the exact number of dwellings proposed at reserved Matters stage.

If the S106 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 The development shall be carried out in accordance with the list of approved plans set out in the table below.

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

- 3 This development shall be begun within 5 years from the date of the Outline permission or within 2 years of the date of approval of the last of the reserved matters to be approved whichever is the later.

REASON: To Comply with Section 92 of the Town and Country Planning Act 1990.

- 4 No development shall commence on site until a detailed surface water management scheme, which shall include details of any treatment prior to discharge, the programme for its implementation, the ownership of the sustainable drainage infrastructure and surface water sewers has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

REASON: To ensure that surface water on site is managed in a sustainable manner and flood risk is kept to a minimum and to ensure protection of controlled waters in the local area. Treatment of surface water drainage prior to discharge to watercourse is needed as the site is located within SPZ1, in accordance with Local Development Plan Policy SD4 LDP Sustainable Drainage.

- 5 Pursuant to the submission of the reserved matters relating to landscape and layout, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for barn owl and foraging/commuting bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To safeguard foraging/commuting habitat of Species of Conservation Concern in accordance with Section 6 of the Environment Act (Wales) 2016 and LDP policies EP3 and NE1.

- 6 Pursuant to the submission of the Reserved Matters relating to landscape and layout, details of methods to avoid and mitigate for the presence of barn owl on site and details of offsite mitigation for barn owl shall be submitted to and approved in writing by the Local Planning Authority. Avoidance, mitigation and compensation shall build upon the principles in Interim Technical Note: Hedgerow Translocation & Barn Owl Mitigation Rev 2 dated October 2018 and include, but not be limited to:
- a) Provision of barn owl nest box on site including specification & position
  - b) Provision of an additional two barn owl nest boxes off site with at least one being within 200m of the existing roost site including specification & position
  - c) Planting of vegetation on site to provide screening for barn owl
  - d) Detail of screening fencing for duration of the construction phase
  - e) Restriction of the use of green space around the onsite barn owl nest site upon completion of the development
  - f) Management of grassland around the onsite barn owl nest site
  - g) Management details of foraging habitat for barn owl including existing trees and grassland off site, no more than 200m from the existing nest site
  - h) Monitoring scheme for a minimum total period of 5 years
  - i) Options for modification of mitigation and compensation measures if monitoring indicates a change in behaviour
- Clear links shall be made to the Construction Environmental Management Plan for the site and the Green Infrastructure Management Plan.

The development shall be carried out in accordance with the approved details.

REASON: to protect protected and priority species in accordance with Local Development Plan Policy NE1.

- 7 The development shall be carried out in accordance with the agreed barn owl mitigation.

REASON: To protect protected and priority species in accordance with Local Development Plan Policy NE1.



- 8 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.

9. The details submitted pursuant to the Reserved Matter for landscaping shall reflect the guidelines set out in the GI Masterplan and Illustrative GI Masterplan in addition to providing details incorporating;
- proposed finished levels or contours;
  - means of enclosure;
  - Hard surfacing materials;
  - Soft landscape details including planting plans, specifications including cultivation and other operations associated with plant and grass establishment, schedules of plants, noting species, sizes, numbers and densities;
  - Details of the hedgerow translocation;
  - Details of the access to the barn owl exclusion zone;
  - Details of play equipment for proposed LEAP.

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

10. 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.

11. 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.

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

12. Pursuant to the submission of Reserved Matter for landscaping, a Green Infrastructure Management Plan shall be submitted to, and be approved in writing by, the local planning authority. The content of the Management Plan shall include the following;
- a) Description and evaluation of Green Infrastructure assets to be managed e.g.
    - Community Orchard
    - Multifunctional Green spaces/corridors
    - Suds area
    - LEAP
    - Woodland areas
    - Hedgerows
    - Street trees, Parkland trees
    - Management of Barn Owl exclusion zone to tie in with the biodiversity condition "detail of barn owl mitigation
  - b) Opportunities for enhancement to be incorporated:
    - Management of grassland for botanical species diversity and/or protected species including reptiles
    - SUDS feature to hold water all year round
    - Provision of hibernacula suitable for reptiles/amphibians
    - Maintain habitat connectivity through site for species such as hedgehogs
    - Dark areas to support bat foraging.
    - Tree/hedgerow management
  - c) Trends and constraints on site that might influence management of above features.
  - d) Aims and objectives of management.
  - e) Appropriate management options for achieving aims and objectives.
  - f) Prescriptions for management actions.
  - g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty-year period).
  - h) Details of the body or organization responsible for implementation of the plan.
  - i) Ongoing monitoring and remedial measures.

The Management Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the Green Infrastructure Management Plan are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning Green Infrastructure objectives of the originally approved scheme. The Management Plan shall also include a schedule of landscape maintenance for a minimum period of five years and shall include details of the arrangements for its implementation. The approved plan will be implemented in accordance with the approved details.

REASON: To maintain and enhance Green Infrastructure Assets in accordance with LDP policies, DES1, S13, G11, NE1, EP1 and SD4.  
(Legislative background - Well Being of Future Generations Act 2015, Planning (Wales) Act 2015 Environment (Wales) Act 2016)

- 13 No development is to take place until a Tree Protection Report in accordance with British Standard 5837:2012 - Trees in relation to Design, Demolition and Construction Recommendations is submitted to and agreed in writing with the Local Planning Authority. The report shall include the following information:

- a) A scaled Tree Protection Plan detailing all retained trees and hedges and their root protection areas shown on the proposed layout.
- b) An Arboricultural Method Statement.
- c) The appointment of an appropriately qualified and experienced Arborist to provide a scheme of arboricultural monitoring.
- d) A schedule of pruning operations for access and facilitation purposes.

The development shall be carried out in accordance with the approved Report.

REASON: To ensure the long-term retention of valuable green infrastructure assets in accordance with Council Policy S13 - Landscape, Green Infrastructure and the Natural Environment.

- 14 No development shall take place until a foul water drainage scheme to accommodate the foul water discharge from the site has been submitted to and approved in writing by the local planning authority. No part of the development shall be brought into use and no dwelling shall be occupied until the approved foul drainage system has been constructed, completed and brought into use in accordance with the approved scheme.

REASON: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment

- 15 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: In the Interest of Highway Safety and to protect the amenity of the local residents

- 16 No development other than demolition and remediation works 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 interests of highway safety

- 17 No development shall commence on site until detailed design, safety audits and technical audits for the proposed means of access onto the B4245 have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure the access is constructed in the interest of highway safety and Local Development Plan Policy MV1

- 18 Prior to development commencing 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. The landscaping shall be maintained in accordance with the approved details.

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

- 19 No development shall take place until the applicant or his agent or successor in title has secured agreement of a written scheme of environmental mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter the programme of works will be fully carried out in accordance with the requirements and standards of the written scheme.

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

- 20 No development shall take place until a potable water network scheme to accommodate the potable water demand from the site has been submitted to and approved in writing by the local planning authority. No part of the development shall be brought into use and no dwelling shall be occupied until the approved water network scheme has been constructed, completed and brought into use in accordance with the approved scheme.

REASON: To provide an adequate water supply