

**Application No:** DM/2019/01761

**Proposal:** Residential development of 130 dwellings, associated infrastructure and landscaping

**Address:** Land to east of Church Road, Caldicot

**Applicant:** David Wilson Homes/ Harvington Properties Limited

**RECOMMENDATION: APPROVE**

**Case Officer:** Kate Young

**Date valid:** 28.10.19

This application is presented to Planning Committee due to the number of objections received

## **1.0 APPLICATION DETAILS**

1.1 In April 2019, outline planning permission, with all matters reserved except for access, was approved for up to 130 dwellings on this site. This current reserved matters submission seeks residential development of 130 dwellings and associated infrastructure and landscaping. The access into the site was considered as part of the outline permission. The proposal would provide a total of 85 open market houses and these would include a mix of 2, 3 and 4 bedroom properties (10 two bedroom, 22 three bedroom and 53 four bedroom units). There would also be 45 affordable homes 'pepper-potted' throughout the site. This would include 20 one-bedroom flats, 3 two-bedroom bungalow (one of which would be adapted to accommodate a person with disabilities) and the remainder would be 2, 3 and 4 bedroom houses. All of the dwellings except for the three bungalows would be two storey in height.

1.2 The site would be developed in accordance with the approved, Illustrative Master Plan, reflecting a Green Infrastructure led scheme with Placemaking at its heart. There would be a green spine running through the site with amenity open space, woodland and a community park in the northern part. There would be footpaths running through the site and also pedestrian links to the existing residential developments to the west of this site. Informal children's play provision and a trim trail will be provided within the community park.

1.3 The main access into the site, in accordance with the outline approval, is off Heol Sirhowy, with a secondary access, serving seven properties off Clos Ystwyth. There would be a series of cul-de-sacs off the existing spine road. Parking will be mainly to the front and side of the properties but there will also be some parking courts. In total 259 parking spaces will be provided on the site.

1.4 One attenuation basin will be provided on the site; other attenuation measures will include areas of crating underground.

1.5 The site measures 10.1 ha and consists of four fields immediately to the north-east of the new housing development off Church Road. The land generally slopes downwards from west to east and the site is close to the Nedern Brook Wetland which is designated as a SSSI for its importance for over-wintering and wading birds. To the south of the site is the Caldicot Country Park. Two public right of ways dissect the northern part of the site. There are several mature hedges crossing the site and the eastern boundary is formed by a wide woodland belt. The site is outside of the Caldicot Development Boundary. The northern part of the site is a Mineral Safeguarding area for Limestone. The agricultural land classification is made up of Grades 1 and 3 agricultural land.

1.6 The outline application was the subject of a section 106 legal agreement requiring 35% of the dwellings on site to be affordable homes as well as financial contributions the purposes of Education, Green Transport, Green Infrastructure, Biodiversity and play provision on and off site.

1.7 Conditions 6, 7 and 8 of the outline application all relating to landscaping are being considered under a separate application DM/2019/01785. The drainage scheme that was required under condition 4 of the outline permission is being considered under application DC/2020/00047. The management and maintenance of streets is also considered under separate application DM/2020/00047.

## **2.0 NATIONAL PLANNING POLICY**

### Planning Policy Wales (PPW) Edition 10

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well being, creating prosperity for all.

## **5.0 REPRESENTATIONS**

### 5.1 Consultation Replies

Comments received after re-consultation on the 20/12/19

**Caldicot Town Council** – Recommends approval.

#### **MCC Housing**

Responded stating that the mix and layout of the affordable housing was acceptable. The housing provided through MHA was to be DQR compliant in line with policy. It was requested that the one-bedroom flats should be more dispersed rather than eight provided in one location. The Hawthorn is considered acceptable and they welcome the lift included in the flats as requested.

#### **Monmouthshire Housing Association**

Considered the scheme in relation to DQR compliance and made comments in relation to the internal arrangements of the properties, such as bathroom layouts, lighting, the stair circulation, boilers and kitchen layouts. However they stated that Alder, Cherry, Hawthorne, Larch, Olive and Spruce broadly appear to be DQR compliant, however limited information is available at this time to assess all aspects.

#### **MCC Biodiversity**

MCC Biodiversity – Further Information is required

Responded stating that the reserved matters proposals should follow the principles set out in the outline application and made the following key points:

- The proposals should follow the principles of supporting pollinating species, together with the community park management and Hornet Robber fly management plan. Suggestions were also provided to improve the mix of grassland types.
- Some errors, or conflict between plans were identified and clarity sought.
- The detention basin and surface water outfall features should be wet features that maximise the value for biodiversity. The value needs to be enhanced and maintained as a wet basin for at least part of the year using other wetland planting/marginal plants and improving adjacent planting connections.
- Requested further details of the surface water outfall arrangements to understand any potential conflicts with the SSSI and protected species such as water vole. Further information is required in relation to the current ecological value of the basin and the ecological impact of the outfall. The application should ensure protection of the SSSI from grazing with appropriate landscape treatment.
- Measures to prevent/reduce misconceptions of grey water to surface water systems should also be included to prevent damage to the water quality of the Nedern which is a slow flowing watercourse.
- Ecological enhancements should be sought throughout the scheme and suggestions for the positions and types of enhancements were provided.
- Request a condition requiring an Environmental Construction Management Plan.

### **NRW Drainage**

At outline stage, NRW Drainage Team requested a condition for a scheme of foul and surface water treatment. This is currently being considered under application DM/2020/00047. They note that the whole site is located within a Zone 1 of the Great Spring Source Protection Zone used for public water supply. Surface water is proposed to be collected and discharged into the local watercourse, as the site is adjacent to a SSSI it is important that surface water entering the watercourse is not contaminated. Therefore we assume that surface water will be treated (for sediment and pollution) prior to discharge into the Nedern Brook. We note that there is no technical note or drainage strategy with this application. All foul drainage must be connected into an existing public sewer. Having regard to the above this shall be considered under the relevant aforementioned condition. NRW Drainage Team cannot advise at this stage whether it will impact on the reserved matters application. However based on the information available, they have no objection to the reserved matters application.

### **MCC Landscaping and GI**

Responded stating that they support the application and being party to a number of meetings in relation to the development has resulted in an improved scheme, in terms of GI. The general specification of plants, densities and sizes are acceptable. As mentioned above confirmation of location and alignment with planting specification and anchoring for some trees should be clarified and reflected in the planting specification and GI management plan.

It is easier to maintain areas by machine with flowing sweeps of bulbs, flowing shaped wild flower / grass cutting regimes prescriptions and grouped trees as opposed to loose collections of individuals or areas of bulbs / wildflower grass with angular or sharp shapes. It is suggested that the softworks plan is also informed by the engineering plans 1-3 to ensure that trees are not planted over any drainage infrastructure, service points and attenuation crates.

All plans need to be based on the same layouts to ensure approved landscape and GI plans can be assessed and evaluated effectively and accurately during development, completion and hand over.

They note a number of discrepancies between the plans, and identify these for information and clarity. Some other issues relating to the details of the hard and soft landscaping were specifically identified as:

- Question ownership and responsibility in relation to the pumping station near plots 18/19, ensuring that the proposed grass-crete surfacing.
  - Clarification of the strategic landscaping ownership in relation to plots 20-12 and 24-36
  - Grouping of trees outside the easement but within the Public open space and ensuring tree pit details are compatible with the easement for the pipeline.
  - Details required such as tree pits, hogging paths, lawn mixes and flower mixes
  - Requested more native species in relation to planting and tree specification
  - Elements of planting in certain areas to be increased to soften boundary treatments
  - Improving connectivity in line with the landscape and GI strategy
  - Clarification in terms of off site linking paths
  - General comments in relation to conditions attached to the outline permission.
- DM/2018/00880.

### **MCC Highways – No objections.**

The comments relate to the issues within the reserved matters application only. The highways officer has met with the applicant regularly where the plans have been amended and re-considered the layout taking on board the highway authority's recommendations. The latest drawings submitted in support of the application generally reflect these discussions.

- The applicant has taken on board comments in relation to the general layout, including introducing vertical features to promote slower vehicle speeds and create a more inclusive environment and reduced lengths of private and share drives improving the number of dwellings served by introducing adoptable turning areas.
- In relation to pedestrian provision, the improvements generally reflect the recommendations made previously however improvements are requested in relation to footpaths, requiring a footpath link to the existing footpath at plot 92. The Highways Authority considered this amendment essential in providing future footway linkages to adjacent and wider pedestrian provision and promote and encourage walking.
- Relocate the footpath to the north-east kerb to the front of plots 1-7 as previously requested. Reducing the need for pedestrians to cross unnecessarily
- Shortfall in parking provision to plots 18 & 19 can be accommodated on the street and not adversely affect immediate neighbours - accepted
- As plots 28-30, and 78 & 79 are served by a private driveway and the shortfall in parking is likely to be restricted to the private drive if we do not control the use of integral garages - accepted
- Plots 34 & 35 have a shortfall in parking, however as these are served directly off the main thoroughfare and only these plots are affected then any on street parking is limited and will be restricted to the plots concerned and not adversely affect immediate neighbours or use of the main thoroughfare, if we do not control the use of integral garages – accepted.
- Plots 129 & 128 are served off a short cul-de-sac and that all other properties served have allocated off street parking then any shortfall in parking is limited, can be accommodated on street and will be restricted to the plots concerned and not adversely affect immediate neighbours - accepted.
- Plots 82 to 92, 99-100 & 109 – 114 have a shortfall in parking that will be displaced into the immediate highway and adversely affect neighbours. It is recommended that a suitably worded condition to control the use of garages at the aforementioned plots.

### **Health and Safety Executive**

Responded stating that they did not advise against the development of the site on safety grounds. As the proposed development is within the consultation distance of a major hazard pipeline the determining authority should consider contacting the pipeline operator as this may result in changes to the layout of the proposed development or to modify the pipeline, or its operation if the development proceeds. The advice provided is based on the current situation and the advice will not be altered by the outcome of any consultation with the pipeline provider.

**Western Power** – No response to date.

### **Wales and West Utilities**

WWU have confirmed with the developer that our legal easement is 6 meters either side of the pipeline however the HSE give the final decision on distances. WWU confirmed that the distance which has been confirmed to be a 15m no build zone either side of the pipeline which is adhered to.

### **Welsh Water**

No objection for the approval of the Reserved Matters subject to compliance with the requirements of the drainage conditions imposed on the outline consent and any subsequent applications to vary the conditions.

### **Glamorgan Gwent Archaeological Trust**

As this application is for the reserved matters GGAT did not wish to make any further comments other than to refer back to the request for a condition requiring the submission of a written scheme of historic environment mitigation to be attached to any consent, as per their comments on the outline application.

### **MCC Public Rights of Way**

Responded stating that the authorities responsibility is to ensure that all rights of way affected by the development are identified. Further clarification is sought in relation to the impact and diversion of the current line of the right of way. As a proposed diversion is shown this will be subject to a separate application for path order. Given the details provided it is suggested that dropped kerbs are provided in the 5 locations where roads cross the proposed new route. In addition in order to comply with the requirements of the Active Travel Act the link to Heol Glasyn should be made up to multi-user standards including a link from within the site to the current walkway running adjacent to 20 Heol Towy and a southern link to Heol Teifi.

### **MCC Environmental Health**

Responded requesting that conditions be attached to an approval based on the information submitted in the Remediation Strategy and Verification Plan. These conditions request that:

- Remediation strategy including method statement and full risk assessment to be submitted
- A Completion/Validation report confirming that the remediation has been carried out in accordance with the approved details
- Any additional unforeseen contamination encountered during the development shall be notified to the local planning authority and suitable revision of the remediation strategy shall be fully implemented.
- Imported soil shall be tested and a report provided to the local planning authority

It is also suggested that an informative be added that a site investigation/risk assessment procedure to be undertaken by the developer in accordance with CLR11 'Model Procedures for the Management of Land Contamination'. In addition the applicant should be aware of the guidance document from the South East Wales Land Contamination Working Group 'The development of potentially contaminated land'.

**Sustainable Drainage Approval Body / MCC Flood Risk Management** - This site was submitted and verified before the cut off so SAB approval is not required.

As LLFA we are holding our previous objection to the proposed development drainage system as further information is still required before the system can be approved.

1) There are some elements of the drainage system still to be designed and until we have seen the detailed designs for this we are unable to approve the system. The developer

will need to supply detailed design drawings for all flood storage areas including cellular storage tanks.

2) Details of the proposed drainage of the highway network within the site and the roofs of the properties. The current design documents do not show the proposed location of gulleys and connections into the surface water system, nor identifies the areas that are flowing into the surface water system at each manhole locations.

3) The site still fails to achieve any treatment for water quality as outlined in our previous objection in December 2019, any drainage system design should fully explore the potential use of rainwater harvesting and at source infiltration drainage as a first step in water quality. Treatment of runoff then needs to be considered before discharge to a watercourse or surface water sewer. No evidence has been provided that this scheme has explored this potential.

Paragraph 6.3.26 of the LDP also states: "SuDS also represent a significant opportunity to enhance biodiversity and should, where possible, be maximised."

The drainage system needs to demonstrate that the Hierarchy for Disposal of Surface Water has been followed which it currently does not. H3 – Approved Document Part H.

All the water will be staying in pipes and tanks underground except in extreme rainfall events, so the comments I made regarding DM/2019/01785 would stand as the proposals offer no interception, treatment, amenity or biodiversity benefits.

This relates to the DOC application DM/2019/01785

We recommend that the proposed drainage system is redesigned using modern SuDS in accordance with the SuDS Standards for Wales.

## 5.2 Neighbour Notification

Letters received from seven addresses following re-consultation (up to 06/01/20).  
Objection letters received from 44 Addresses (up to 20th December 2019 on the original submission).

A large number of comments were received which have been summarised below.

- Concerns that digging has already occurred on the site which has potentially damaged any archaeological artefacts. Concerns that the archaeological watching brief has not been complied with.
- Concerns over the over development and poor layout of the site. It is too tight, there are too many properties on the site. Properties are overlooking each other and are too close. There are properties over bearing and existing houses will be facing brick walls. The residential amenity of existing properties has not been properly considered and is unacceptable. Concerns are also raised in relation to security of existing properties, an example provided of a 'dead end' road proposed to the rear of an existing property.
- The northern spur has too many houses on the land and has a poor layout.
- Proposed flats are now facing rear gardens
- Concerns over the potential impact on drainage of the site and any mitigation. The site is boggy and water should be managed effectively, the implications on the local water system and Nedern brook need to be considered, together with the protected SSSI.
- Concerns over the impact of the development on ecology. The site is close to a SSSI - how will this be effectively managed and protected? The site also has reptiles which should be removed before any works take place. In addition, concerns were raised over the impact on barn owls and any potential impact on bats in relation to light pollution.

- There is inadequate parking provision on the site and a lack of visitor provision. There is a shortfall that needs to be addressed; the compromise is too much. The garages are too small for modern cars and will not be used for parking. This creates congestion and problems.
- There is too much parking on the site, need to encourage use of public transport
- There is inadequate public transport provision in the local area to cope with the increase in traffic
- Concerns over the implications of building over the gas pipeline, little consideration for health and safety given implications and consequences elsewhere
- More open space is required, there is no Green Infrastructure on the site. The Council has declared a climate emergency and done nothing to consider this in the application.
- There will be an unacceptable strain on community facilities. In particular reference is made to adequate school provision and health facilities such as GP surgery's
- There are concerns over the impact on flooding and the potential impact on existing properties, this is not properly considered.
- There is information missing on the plans.
- Concerns over the impact on the public right of way and that the proposals are not compliant with MV3 of the LDP. Specific concerns relate to the new position of the right of way crossing 5 roads and whether the right of way could go through the adjacent open space. The enjoyment of users of the PROW would be taken away and they would be in danger of conflict with traffic.
- Concerns over the impact of construction traffic for the duration of the build. This relates to vehicles, debris, noise, dust, mud and movements of the workforce.
- Concerns are raised over highway safety within the development.
- Concerns raised over the implications of the contaminated land and the mitigation required. This is in relation to properties within the site, the impact of digging and the potential contamination for existing properties together with the impact of contaminants getting into the watercourse.
- General support for an additional access at Heol Teifi to avoid bottlenecks and congestion.
- General opposition for an additional access at Heol Teifi and concerns over the disregard of the covenants placed on the land adjacent to Heol Teifi.
- Concerns over the impact of the development on Caldicot Country Park and the Nedern Brook.
- Issues in relation to the affordable housing provision, concerns raised over the concentration of affordable housing in certain areas on the site, that it is not in keeping with the area, that it is adjacent to existing houses.
- Impact of the proposals on the protected trees on the site. The plans show removal of Trees and hedgerows which should be retained, the proposed removal is excessive. There is also concerns over the increased soil levels and the proximity of houses to trees and the impact that this will have on tree roots. MCC have declared a climate emergency, however are allowing trees to be felled
- Concerns raised over the impact of the proposed basins being located over the mains gas pipeline. The basins also raise safety concerns which need to be carefully considered
- Concerns raised over the impact of the development in the landscape and the look of the buildings adjacent to the edge of the town
- Concerns that the requirements of the section 106 attached to the outline planning permission is not being complied with
- The proposed dwellings are not compliant with PPW Ed. 10 which requires homes for life
- The proposed Alder properties are not appropriate, they have no windows and no proper maintenance access. In addition they are proposed to be raised 2.3m above ground level, but there are no details of this
- There is no CEMP or arboricultural report provided by the developer
- There should be hedgerows between the new properties
- The development of the fields will result in a loss of agricultural land.

Queries in relation to the outline application.

- Concerns over the impact of increased pollution from the increase in traffic generation into and out of the site. The surrounding infrastructure can't cope with the increase, there will be a detrimental impact on Caldicot and Caerwent.
- Concerns over the impact of building over the pipeline and the health and safety implications of the high pressure mains pipe in the centre of the site.
- Concerns over the capacity of Heol Sirhowy to cope with the traffic generated by the 130 houses
- This is an unallocated site and should not be developed. There are more appropriate housing sites elsewhere.

## **6.0 EVALUATION**

### **6.1 Strategic & Spatial Choices**

#### 6.1.1 Development Plan context and the Principle of Development

The site is not within the Caldicot development boundary, nor was the site allocated within the Local Development Plan. However, as the outline application for residential use considered as a departure from the plan, following correct procedure the recommendation for approval by Planning Committee Welsh Government were informed of the intent to approve the residential development of the site. The application was carefully considered by the Welsh Government and the Welsh Ministers determined that the development was acceptable and deferred the application back to the Local Planning Authority for approval. In April 2019, outline planning permission, with all matters reserved except for access, was approved for up to 130 dwellings on this site. Therefore the principle of housing development on this site is already established and the current application seeks approval of the details of the scale, layout, appearance and landscaping of the development. The access into the site was considered as part of the outline proposal and approved to be suitable for a maximum number of dwellings of 130.

#### 6.1.2 Good Design/ Place making

The design of the development has been informed by the Green Infrastructure of the site and is largely in accordance with the indicative master plan which formed part of the outline application. The main entrance into the site, as approved in the outline application, is from Heol Sirhowy. From the entrance, there will be two storey dwellings on either side of the main access to the site, mostly with pitched roofs but one would have a hipped roof. Beyond this it is proposed to create a raised road junction with one spur going north to serve 18 dwellings and the community park together with an area of greenspace, containing a footpath. A block of two storey single bedroom flats are proposed to face onto the area of open space forming an important landmark building within the site. From there the main spine road through the site runs south with a cul-de-sacs and private drives forming the general highways arrangement. A large area of green open space runs through the centre of the site (north to south) containing an important public footpath connection. To support this there are a number of pedestrian links from the existing housing development to the west into the proposed new development allowing for permeability throughout the site and linking to the existing residential development. There is a second vehicular access into the northern part of the site off Clos Ystwyth and serves 7 dwellings. Just to the south of this proposed cul-de-sac is a Welsh Water Pumping station which serves the recently completed dwellings to the west. Owing to the site's shape and constraints the layout of the development is largely linear with many of the dwellings facing onto the green open space and the highway to maximise active frontages. The site is narrower and more linear where it is located between the existing dwellings at Clos Ystwyth and the woodland to the east. The density of the development tends to reduce towards the



southern and eastern part of the site which gives a softer edge to the interface of the development and the open countryside beyond.

The proposed dwellings will be built to modern standards and they will reflect the character of the existing dwellings recently constructed to the west of the site. The heights of the dwellings comply with the height parameters set out in the outline permission. The majority of the dwellings will be two storey although three bungalows are proposed throughout the site, which make up a part of the affordable housing provision. The maximum height of the dwellings on the site will be 9 metres from FFL to ridge. The larger four bedroom dwellings are proposed to terminate views in line with design guidance. The proposal uses standard house types with mostly hipped roofs. The hipped roof will allow for more light and sunlight around the dwellings and also will be more suitable for solar panels in the future if the occupiers so wish. The 45 affordable housing units will be built to DQR standards. The walls of the dwellings will be finished in brick and render; there will be no distinction in finishing materials between the market housing and the affordable units. All of the dwellings on the site would have grey roof tiles, providing uniformity throughout the site and would reflect the character of adjoining housing developments.

The boundaries between properties would mainly be of close boarded timber fence except where the boundaries are particularly visually prominent within the public realm and here they would be of brick to match the adjoining properties.

#### House Types

Of the 130 dwellings proposed 45 of these will be affordable, equating to the required 35%. Of the 85 market houses, the majority have four bedrooms (53 units) and these are mostly detached. There are also 22, three bedroom units proposed as well as 10 two-bedroom units. A booklet of house types has been produced and forms part of this application. There are 10 basic house types, all of them two storey, with various finishing details and orientation, all following the same architectural style. The design of the dwellings reflects the recently completed housing developments on the western side of this site. The fenestration details are more elaborate on the front elevation rather than the rear; this is to reflect the secondary nature of the rear elevations and in most cases the rear elevations are not prominent within the public realm.

Of the affordable units, all are compliant with DQR standards and Monmouthshire Housing Association are satisfied with the designs. Twenty one-bedroom flats are being proposed with one block of eight units, named 'The Hawthorn' designed for elderly residents incorporating a lift as required. There are also nineteen two-bedroom units, three of which are bungalows (one built to adaptable standards) and 4 three-bedroom units with a further 2 four-bedroom units. This is in line with the need demonstrated on the local housing register and complies with the housing mix specified in the section 106 agreement signed as part of the outline application. The affordable units are dispersed throughout the site and would be of the same finishing materials as the market housing. Following the MHA management requirements none of the affordable units share private drives with market housing. The location of the affordable housing and other matters of the layout design have been discussed in detail to ensure a satisfactory form of development, meeting the policy standards, section 106 requirements and general design considerations. The location and impact of the affordable housing is discussed further in paragraph 6.5.3 in the response to public consultations. The layout and design of the whole of the site has been very carefully considered in order to provide a sense of place that reflects the design of adjoining developments. The development therefore accords with the objectives of PPW10 and Policy DES1 of the LDP.

#### 6.1.3 Impact on Amenity/ Promoting Healthier Places

##### *Sustainable Location*

The location of the site itself promotes healthier living. The site is located in a sustainable location within easy walking distance to Caldicot town centre and its many facilities. There would be less dependence on the car with the new residents being able to walk to the shops, schools and other community facilities. There are pedestrian links throughout the site encouraging residents to walk to the town centre and other residential areas in Caldicot. In addition, the site has access to bus routes both within Caldicot and to towns further away. The location of this development encourages walking and cycling which results in a healthier lifestyle in accordance with the active travel aspirations within PPW10.

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

### *Public Open Spaces*

Overall, over half of the site will be retained as green open space for the public to enjoy. A 4 ha community park is provided in the northern part of the site which would contain a circular walking path and some informal play provision. In addition, there is a 30m wide green strip through the centre of the site, either side of the gas pipe line which is maintained as public open space which would have a public footpath running through it. There are also three other areas of open public space in the southern part of the site, one of which would contain an attenuation basin. These public open spaces will encourage residents to enjoy outdoor activities. There will be opportunity for walking and cycling in the Country Park as well as informal activities along the trim trail and green corridors. The design of the development encourages outdoor activity in the fresh air and this conforms to Welsh Government's objectives of healthier living.

There are several Local Areas for Play (LAPs) and a Local Equipped Area for Play (LEAPs) on the adjacent development. It would be more beneficial to the existing residents as well as the occupiers of the new development, to upgrade the existing play facilities in the area rather than creating more LAPs on the proposed site. This would provide a better overall provision within the locality, and help integrate the new development as part of the existing community. As per the requirements of Policy CRF2 the outdoor recreation and public space is being provided within the site in line with the Fields in Trust / NPFA standards and this will have benefit to the local community. The scheme will provide significantly more than the 0.5 hectares of informal open space and 1.6 hectares of adult outdoor recreational space than the policy requires. The proposal exceeds the requirements set out in Policy CRF2 of the LDP. A financial contribution

of £25,000 will be made for the installation of informal play equipment in the community park. This will include a Trim Trail and wooden logs. In addition, there would be requirement for a commuted sum of £233,152 for the maintenance of the community park for 20 years. A sum of £1566.00 per market dwelling would also be required for offsite recreational provision. This money could be used to fund facilities including the Caldicot Greenway Scheme, Caldicot Castle Country Park, Hall Park Open Space and the Caldicot Town Centre Regeneration Project. This was all agreed in the Section 106 Legal Agreement as part of the outline application.

#### *Impact on existing residential areas.*

##### Residential Amenity

The impact of the proposal on residential development can be divided into two distinct parts. Firstly the physical impact of the development on the existing residential properties immediately adjacent to the application site and secondly the impacts on the local area from increased traffic generation. Many of the properties along Clos Ystwyth, Heol Sirhowy, Heol Glaslyn and Heol Towy actually have garden boundaries that abut the development site. There is an existing footpath between Heol Towy and the development site and this would be retained giving a green buffer between the existing houses and the proposed housing. Many of the properties along Clos Ystwyth, Heol Sirhowy and Heol Glaslyn have their rear gardens abutting the development boundary. Since the original submission in October 2019 and following negotiations between officers and the developers, the orientation and position of some of the proposed dwellings have been altered to ensure that acceptable privacy distances are provided. Widely used guidelines that the Council tends to apply mean there should be at least 21 metres between front facing elevations and 12 metres between rear and side elevations and these are largely adhered to. In a few cases, there is less than 12 metres between the rear elevations of existing properties and the side elevation of proposed dwellings, but this is only the corner of dwellings and does not cover the whole extent of the rear elevation. This arrangement is considered by officers to be acceptable and there will be no significant loss of outlook or privacy to the occupiers of the existing dwellings.

The layout of the new development has taken account of privacy distances between the existing and the proposed dwellings. The layout has also been designed so that the proposed dwellings will not have an overbearing impact on the residential amenity of the occupiers of the existing properties. The proposal accords with the objectives of policies DES1 and EP1 of the LDP. The proposed development will provide a safe and secure pleasant environment. The new development will maintain reasonable levels of privacy and amenity to the occupiers of existing adjoining properties. The design of the new development will preserve the high standards of privacy and spaciousness that are currently enjoyed by the occupiers of the existing adjoining developments. The proposal does not constitute over development rather it accords with the parameters agreed at the outline stage. With regards to residential amenity, the principle of development on this site is already established. The purpose of this reserved matters application is to ensure that the layout of the development accords with general guidelines regarding privacy distances and that the new dwellings do not have an over bearing impact on the occupiers of the recently completed dwellings on Clos Ystwyth, Heol Sirhowy, Heol Glaslyn and Heol Towy. Following amendments to the design, officers believe that this has been achieved and that privacy standards have been adhered to.

With regards to impact of the proposed development on the local area as a result of increased traffic generation, there will inevitably be more traffic moving through the area and this will generate more noise. The TA submitted as part of the outline application demonstrated that the road network is capable of accommodating the increase in traffic. The increase in noise and disturbance along the existing residential streets over and above that already generated has been taken into account at the outline stage. A Construction Traffic Management plan has been submitted as a Discharge of Condition application of the outline permission. The

Construction Traffic Management Plan includes amongst other things, hours of operation, preferred traffic routes for subcontractors and deliveries, dedicated parking and turning provision within the site for staff and contractors, no deliveries during school drop-off and pick-up times, no unloading of plant and materials on the public highway, a wheel wash and road sweeping schedule. The full details of the Construction Traffic Management plan are available to view under application DM/2020/00025.

#### 6.1.4 The Welsh Language

The proposed development may lead to some new residents moving into Caldicot from outside of Wales, especially as a result of the removal of the bridge tolls. Caldicot is not, however, a predominantly Welsh-speaking area and the development will not impact on the Welsh Language. Children moving into the area will have the opportunity to learn Welsh in the local schools.

#### 6.1.5 Sustainable Management of Natural Resources

A primary objective of PPW10 is to maintain and enhance the resilience of ecosystems and the benefits they provide. Whilst the ecological value of the site itself is limited, the site is ecologically sensitive due to its proximity Neddern Brook which is a SSSI designated as a Wetland that makes provision for over wintering and wading birds. This sensitivity was considered in depth at the outline stage of the application and the footprint of the developable area has not changed. The existing woodland will act as a natural buffer between the development and the SSSI. The siting of the proposed footpaths have been carefully considered to deter dog walkers and others from walking too close to the SSSI and thus not disturbing the birds. Ecological enhancements have been provided throughout the site and the SSSI has been protected with fencing.

### **6.2 Active and Social Places**

#### 6.2.1 Sustainable transport issues

As stated above, this site is in a sustainable location. The Sustainable Transport Hierarchy for Planning outlined in PPW10 states that in relation to new development, walking, cycling and public transport are prioritised ahead of the use of private motor vehicles. The transport hierarchy recognises that Ultra Low Emission Vehicles also have an important role to play. In this case, walking and cycling are being promoted. There are several pedestrian links through the site which link into the surrounding residential areas allowing permeability and walking routes to Caldicot Town Centre. The pedestrian links will also link into public bus routes. The proposal complies with the objectives of the Sustainable Transport Hierarchy.

#### 6.2.2 Access / Highway Safety

##### *Access into the site*

The access into the site was considered as part of the outline application and the principle of a single main access into the development has already been approved. Policy MV1 of the LDP requires that all applications that are likely to have a significant impact on trip generation and travel demands must be accompanied by a Transport Assessment (TA). A TA was submitted as part of the outline application and was carefully considered MCC Highway Engineers and considered by Welsh Ministers. The principle of the development and single access are therefore not matters for this application.

### *Internal Road Layout*

The internal layout of the development does form part of the Reserved Matters submission and is therefore considered in detail at this stage. The main access into the site has capacity for 130 dwellings but serves 123 units. From this main entrance into the site, between 23 and 36 Heol Sirhowy, the central spine road runs in an easterly direction losing some height as it does so. One road spur turns off to the north and this serves 18 dwellings; there are two turning heads in this spur. The main spine road then does a 90-degree turn and runs in a roughly southerly direction.

There is one adopted cul-de-sac off this spur and a number of private drives. The adopted roads adjacent to the green spine running through the site have now been extended, at the request of officers to help with the refuse collection and avoid the need for communal bin stores on the public open space. There is a secondary access into the site between 36 and 38 Clos Ystwyth at the north, serving seven dwellings. Following negotiations with officers, this road configuration has been altered from the original submission, to make it easier for refuse vehicles to negotiate the bend in the road. There is a turning head at either end of this cul-de-sac. Vertical elements have been introduced at the road junctions aiming to promote slower vehicle speeds and create a more inclusive environment.

With regards to the footways adjacent to the road ways, the developers have amended the layout to include extensions to the footways where advised by MCC Highway officers. The two exceptions to this are adjacent to plots 1 to 7. Here the plans indicate the footway to be on the western side of the road adjacent to the proposed highway while the Highway Engineer would prefer it on the north-east side of the road to provide continuity of pedestrian movement and reduce the need to cross the street unnecessarily. Planning officers have considered this carefully and consider that the proposed arrangement is acceptable, given the presence of a footpath in very close proximity that links into the main footpath through the site. Highways have also suggested that the footway opposite to plot 98 in the southern part of the site be extended to the southern boundary of the site. Again, planning officers have carefully considered this request and consider that given the proposed footway on the opposite side of road and a link to an existing public footpath connecting Heol Towy with the play area, that the proposed arrangement is satisfactory. The proposals have allowed for a footpath link from the proposed development adjacent to plot 92 to link into the existing public footpath. The proposed footway extends up to the boundary of the land owned by the applicant in anticipation that this will be connected across the adjacent land into the existing public footpath in the future. The land adjacent to the site in this location is owned by MCC. This extension does not form part of the current application.

Overall MCC Highways consider that the layout is acceptable and accords with current design principles. Furthermore, the proposed road hierarchy conforms to the parameters set out at the outline stage.

### *Parking*

The adopted Monmouthshire Parking Standards require that there should be one off street parking space provided per bedroom up to a maximum of three spaces. Therefore the total number of parking spaces required for this development is 321 spaces. Parking provision could include detached garages but not integral ones. On this site 295 spaces are being provided, this forming a shortfall of 26 spaces throughout the site. Generally, the level of off street parking provision accords with the Council's adopted Garage and Parking standards, however in a number of locations the standards are not met. The Highway Authority has carefully reviewed the layout to ascertain where the reduction of off street parking provision may be considered detrimental or harmful. There are 26 plots throughout the site which have at least 3 bedrooms but only 2 off street parking spaces and an integral garage; they therefore

have 3 parking spaces but one of them is an integral garage. The adopted Monmouthshire Parking standards do not consider integral garages to be parking spaces as they could be converted into habitable rooms and the planning authority would have no control over this. To overcome this shortfall planning officers and highway engineers suggest imposing a condition requiring that the integral garages on these plots be retained for the parking of motor vehicles. There is a standard condition for this that the Council has applied in previous approvals. Given the sustainable location of this development and the objectives of PPW10 to support a modal shift towards walking, cycling and public transport it is considered that the shortfall in parking provision is acceptable. Policy MV1 of the LDP states that where appropriate, new developments should satisfy the adopted parking guidelines, but for the reasons stated above, a degree of flexibility can be allowed in this case.

#### 6.2.4 Community Facilities

Community facilities contribute to a sense of place which is important to the health, well-being and amenity of local communities and their existence is often a key element in creating viable and sustainable places. In this case, a development of 130 dwellings is not of sufficient size to support major community facilities such as a community centre or place of worship. This development however is proposing a community country park, public open spaces and informal play provision, and these will help to provide focal points for the community and also will help to contribute to a sense of place. A contribution of £345,140 was also secured to this end via a S106 agreement as part of the outline application.

##### *Public Footpath*

There are two public footpaths crossing the site and these are both currently well used. The majority of the existing footpath length is in the area of the proposed country park and their alignment will not be affected by the housing development. Part of one footpath does cross the red line boundary, in approximately the position of plot 77 to plot 27. It is proposed to re-align this footpath so that it runs through an area of public open space to the south of plot 75 and then up through the central green spine of the site, taking advantage of the proposed green corridor and linking up into the country park and then catching up with its original alignment. A temporary diversion order has been submitted to divert but not close the footpath during construction and a diversion order will be considered separately from the planning application. The applicants are aware of their obligation to keep a public footpath running through the site and free from obstruction at all times. The new public footpaths through the southern part of the site of the development area will be finished in bonded resin while the footpaths in the country park to the north will be mown grass. This takes into consideration the need for future maintenance by the Council and are of an appropriate design for their respective locations. Once completed the development will offer a greater range of walking facilities, including a circular walk in the country park.

### **6.3 Productive and Enterprising Places**

#### 6.3.1 Economic Development

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

## 6.4 Distinctive & Natural Places

### 6.4.1 Landscape/ Visual Impact

A Landscape and Visual Impact Assessment (LVIA) was submitted as part of the outline application. The effect on the wider landscape will be less pronounced as the intervening vegetation, notably a substantial and well-established tree belt will restrict long distance views of the site. Beyond the site boundary views of the proposed scheme from public rights of way, road, commercial and play receptors surrounding the site will be in part filtered by the existing topography and vegetation. The proposed planting and green open spaces within the site itself including the Country Park on the northern and highest part of the site will also help to reduce the visual impact of the scheme. The proposed layout includes the planting of trees in the front gardens of main properties along the spine road. This will have a strong visual impact and these trees could be protected by a TPO as they are an important influence on the design of the development. In addition, there will be bulb and shrub planting in the public open spaces. Trees cannot be planted within the safeguarding area of the gas pipe line but areas of wild flowers will be allowed to grow which will enhance the ecology and the visual aspects of the public open spaces. The areas of tree planting in the community park have been rationalised, at the request of MCC Landscape officers to allow for visual permeability throughout the site. The proposal would not cause a significant adverse change in the character of the built natural landscape given that the site is adjacent to the built form of Caldicot and will be seen against a backdrop of existing residential development. The proposed housing development with its green corridors and open parkland is sympathetic to its surroundings and is compatible with its location. MCC Landscape officers have confirmed that the general specification of plants, densities and sizes are acceptable. The proposal therefore accords with the broad aims and objectives of Policy LC5 of the LDP.

The specific details of the landscaping are being considered under the separate application DM/2019/01785 which seeks discharge of conditions 6,7 and 8 of the outline consent. Condition 9 of the outline permission requires a schedule of landscape maintenance and this can be submitted later.

### 6.4.4 Green Infrastructure

Policy GI1 of the LDP states that development proposals will be expected to maintain, protect and enhance Monmouthshire's diverse green infrastructure network by ensuring that individual green assets are retained where possible and integrated into the new development. Developments should incorporate new and/or enhance green infrastructure of an appropriate type, standard and size. In this case, there is a substantial area of mature woodland along the boundaries of the site and these are to be retained. This will help to screen the proposed development from views when travelling west along the M48 Motorway and will also retain natural habitats. The tree belts will be adopted and maintained by MCC. The tree belt to the east of the site will be retained and this will help to protect the SSSI from the impacts of the development by providing some screening. The Landscape Plan shows enhanced tree planting along the eastern boundary of the development site. The existing hedgerows on the site are to be retained and incorporated into the scheme design. There will also be tree planting though the developable part of the site. The community park proposed for the northern part of the site will provide biodiversity opportunities and informal recreational provision. There will be a green corridor through the site, following the line of the gas pipeline. Other green corridors will be provided running east to west. In total, approximately 50% of the site will be retained as green space. There is no requirement for this site to comply with the SUDS regulations however the development does provide an attenuation pond which will control rates of flow during times of heavy rain fall and also provide some habitat diversity.

#### 6.4.5 Biodiversity

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

The majority of the existing hedgerows and woodland on the site will be retained and incorporated into the scheme. Protection and long-term management of these will need to be secured via the GI Management Plan. The layout also provides some east to west connectivity corridors which can be used by natural wildlife. The lighting scheme submitted as part of the application includes the identification of wildlife corridors and the addition of shields in the luminaires to minimise back spill of light at key locations. From an ecological perspective, this is adequate information and to be welcomed. An ecology plan has been submitted with the application which offers a range of ecological enhancements within the site, these include bat and bird boxes. Planting throughout the site, including wild flowers will be rich in pollinating species.

The attenuation areas are designed to be wet during prolonged periods of rain as this will help to control the rate of flow into the Neddern brook, there will be aquatic plant species at the bottom of the basin which will add to the diversity of habitats on the site. The need to ensure the quality of the water that is entering the Neddern as this is a SSSI will be considered in detail with the drainage details that have been submitted under a separate application.

The site is currently a home to The Hornet Robber Fly which is Priority Species. It was a requirement of the 106 agreement that a Hornet Robber Fly Management Plan be submitted to and approved by the LPA. This has now been submitted and will be considered by MCC Ecologists as a separate issue. The proposed development does retain, and where possible enhance, existing semi-natural habitats, linear habitat features and other features of nature conservation interest within the site. The existing trees and hedgerows that are to be retained will be protected during the construction phase. The development does incorporate appropriate native vegetation in the landscaping and planting scheme. Ecological enhancements will be provided throughout the site in the form of providing of wildlife corridors, dark corridors and bird and bat boxes on the site. All of the Green Infrastructure in the public realm will be maintained in the future by MCC. The proposal therefore accords with all of the objectives of Policy NE1 of the LDP.

#### 6.4.6 Flooding

A Flood Consequences Assessment and Drainage Strategy by Jubb Consulting Ltd, was submitted as part of the outline application. It was prepared in accordance with the requirements of the current national planning policy and in particular the Technical Advice Note 15: Development and Flood Risk (TAN 15) published by the Welsh Government. The FCA was considered in detail, at the outline stage. The topography of the site results in the land falling away in a south-easterly direction with a difference in levels of about 20 metres. The lowest part of the site is the south-east corner reaching a level of 7.5m AOD. This part of the site is within a C2 flood Zone. This zone is classed within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines. The majority of the site is outside either of the



flood zones and it is here that the houses will be built. The small area of the site which is in the flood zone will be an area of woodland with no houses or roads being located within the flood zone. Therefore, there are no adverse issues relating to flooding.

#### 6.4.7 Water (including foul drainage / SuDS)

The site does not require approval under the SuDS legislation, as this is a reserved matters application submitted before the January 7th 2020 deadline. However, Policy SD4 of the LDP states that development proposals will be expected to incorporate water management measures including SuDS to reduce surface water runoff and to minimise its contribution to flood risk elsewhere. Many SuDS features are, however, dependent on infiltration and the ground strata on this site does not have any useful level of infiltration potential. The development does contain a few elements of SuDS which will help to regulate water flow rates into the Nedern Brook. The surface water drainage design is based on drainage with interlinking tanks and a basin with rates of discharge controlled by hydro-brake controls and discharge to the adjacent off-site watercourse. The drainage design coincides with the Flood Consequence Assessment & Drainage Strategy approved as part of the outline permission. The approved drainage layout drawing (17147-SK002-P3) indicates below ground storage structures, discharging into the Nedern Brook as detailed on the reserved matters engineering drawings. The storm water system will be offered to DCWW for adoption under a S104 agreement. The application is proposing the use of some SuDS features which would incorporate a number of attenuation features such as tanks, an attenuation basin and large diameter pipes to provide the required storage for surface water. This is in line with the objectives of Policy SD4 of the LDP which requires that development proposals will be expected to incorporate water management measures, including Sustainable Drainage Systems (SuDS), to reduce surface water runoff and minimise its contribution to flood risk elsewhere. As with the recently completed site adjacent, the use of SuDS can control the rate at which the surface water enters the Nedern Brook and its catchment area thereby reducing the risk of flooding. NRW were re-consulted on the amended plans and have no comments to make, as of their letter on the 9th January 2020.

As the site is adjacent to an SSSI, it is important that any surface water entering the watercourse is not contaminated. The site is also located within Zone 1 of the Great Spring Source Protection Zone (SPZ). Source Protection Zones are designated by NRW to identify the catchment areas of sources of potable water (that is high quality water supplies usable for human consumption) and show where they may be at particular risk from polluting activities on or below the land surface. Source Protection Zone 1 (SPZ1) areas are designated closest to the source of potable water supplies and indicate the area of highest risk for abstracted water quality. Inappropriate foul or surface water drainage disposal has the potential to pollute the SPZ1.

The surface water drainage details can be worked through as part of the discharge of condition 4 of the outline consent which is the subject of a separate application. These drainage details will not affect the layout of the development.

Welsh Water states in the consultation response, "The potable water hydraulic modelling assessment has recently been completed and it was confirmed that the development has three connection options into surrounding water mains network that would not cause an unacceptable level of detriment to existing water supplies."

Local residents have reported concerns regarding water pressure, with some residents in the older homes saying their water pressure has reduced since the new homes have been built. However, Welsh Water have no objection to the proposal, and confirms that sufficient water can be supplied to the site.

The foul water will discharge into the mains and Welsh Water have no objection to this provided that no surface water enters the public sewer. This is already controlled by a condition on the outline permission.

#### 6.4.8 De-risking (including contamination issues)

##### *High Pressure Gas Main*

There is a high-pressure gas pipeline crossing the site. It runs between Caerwent and Sudbrook with an operating pressure of 39 Bar and a diameter of 168mm. It is constructed of steel and is approximately 1.1 metres in depth. Prior to submitting the outline application the developers discussed the proposal with Wales and West Utilities confirming that the existing high-pressure gas infrastructure is located within the site and it was confirmed that an easement along the pipeline provides for 6m either side of the pipeline to be kept clear of buildings, to ensure access and maintenance to the pipeline at all times. The applicants also consulted with The Health and Safety Executive whose guidance identifies consultation distances (measured from the centre of the pipeline) within which lie sub-zones named "Inner Zone" (IZ), "Middle Zone" (MZ), and "Outer Zone" (OZ). HSE bases its advice on land-use proposals on features of the proposal and how the site area lies in relation to these Land-Use Planning (LUP) Zones. These distances are as follows:

Inner Zone – 15m

Middle Zone – 15m

Outer Zone – 21m

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

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered with regards to both the outline and the reserved matters application. The HSE's response to the consultation is that they do not advise, on safety grounds, against the granting of planning permission in this case. Wales and West utilities have confirmed that they have been in discussions with the developer about the protection of the gas pipe and do not offer any objections to the proposal.

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered with regards to both the outline and the reserved matters application, using HSE's planning advice web application.

The Health and Safety Executive response is that they do not advise on safety grounds, against the granting of planning permission in this case. Wales and west Utilities have confirmed that they have been in discussions with the developer about the protection of the gas pipe and do not offer any objections to the proposal.

MCC Environmental Health Officers have offered no objection to the proposal but have suggested some standard land contamination conditions given the identification of a pocket of contaminated land within the site. In this case, planning officers do not consider that the standard conditions specified by the EHO are necessary or reasonable given the submission

of a Remediation Strategy and Verification Plan within the application by Geo Environmental. This would which would be conditioned to be implemented and verification required post remediation as set out in the conditions below.

#### 6.4.9 Archaeology

An archaeological assessment (EDP, dated November 2017) and a geophysical survey (SUMO Services Ltd, dated December 2017) and field evaluation were completed as part of the outline application. There are significant archaeological remains in the vicinity. There is the potential for similar remains to extend into the currently proposed development area. It is clear that in at least one instance, there are archaeological features present that are not apparent on the geophysical survey. GGAT had no objections to the outline application subject to a condition requiring a written scheme of investigation for a programme of archaeological work to protect the archaeological resource. A written Scheme of Investigation was discharged under application DM/2019/01848 on 13/01/2020.

### **6.5 Response to the Representations of Third Parties**

#### *Principle of development*

6.5.1 A large number of respondents object due to over-development of the site. However the number of houses on the site has been determined at the outline stage (up to 130 dwellings), approved by members of Planning Committee; this reserved matters reflects the outline.

#### *Privacy and overlooking*

6.5.2 Many of the issues by local residents in relation to privacy distances and impact from the built form have been addressed in the main body of this report. The illustrative masterplan submitted with the outline application showed most of the proposed properties in the northern part of the site had their side elevations facing towards the existing properties of Clos Ystwyth. In the revised (current) proposal some of the units have been rotated so that their front elevations face towards the rear elevation of existing properties, this is the case for plots 12 to 17. However, between the front elevations of these properties and the rear elevations is a road and a minimum distance of 20 metres which adheres to acceptable standards. Privacy of existing residents is respected throughout the development as the standard distances are in the most part achieved. In the few instances where distances are less than the guidelines, these have been mitigated to protect privacy of the existing residents. The proposals are considered to be acceptable.

#### *Affordable Housing*

6.5.3 Some existing residents have concerns that they will be surrounded by affordable housing in an area where there is already a lot of affordable housing. Legislation makes clear that we cannot consider the location of existing affordable housing but our own policies suggest that we should try to pepper-pot the proposed new affordable housing so that it is not concentrated in one location. The proposal is policy compliant with regards to the distribution of affordable housing, however given that 35% of the proposed new units are affordable, there will inevitably be some areas with groupings of affordable units.

The provision of and grouping of affordable housing is a material consideration of the planning application. The occupation of the units is not a material consideration and is managed by the registered social landlord (RSL). Residents have expressed concern over the potential behaviour of the occupiers of the affordable units; this is not a material planning consideration.

6.5.4 Residents have suggested that the proposed affordable units are too close to existing high value market housing, again the provision of affordable units on major residential planning applications is set out in legislation. The impact on individual property prices is not a material planning consideration.

6.5.5 There are also concerns that there are too many one-bedroom flats amongst the affordable units. The housing mix for the affordable homes reflects the need in the local area and the mix is a response to MCC housing officer's request. The provision is in line with both policy and the section 106 agreement attached to the outline planning permission and has been considered acceptable at the appropriate stage.

#### *Archaeology*

6.5.6 Concerns were raised regarding archaeology on the site suggesting work has started prematurely. To confirm, no development has started on site. Trial pits have been carried out to provide survey information; this does not constitute development. A written Scheme of Investigation has been submitted under application DM 2019/01848 to discharge the archaeological condition imposed at the outline stage condition and therefore the necessary mitigation has been carried out.

#### *Access and parking*

6.5.7 Concerns were raised suggesting that two access points should be provided. The outline approval considered a single access acceptable to bring forward the development, evidenced through the supporting Traffic Assessment. This application for Reserved Matters maintains this arrangement. However, the applicants are exploring whether a second access from Heol Teifi can be brought forward at some time in the future but that does not form part of the current application. This would be additional to, and not necessary for the delivery of the site.

6.5.8 The level of parking within the site has been discussed in detail on the main body of the report. The garages comply with modern standards.

#### *Public Footpath*

6.5.9 There are two public footpaths crossing the site and these are both currently well used. The majority of the existing footpath length is in the area of the proposed country park and their formal alignment will not be affected by the housing development. Additional pathway provision will also be provided in the country park. Part of one footpath which does cross the developable area will need to be the subject of a diversion order. A temporary diversion order has already been submitted. It will be a requirement of the order that a footpath across the site will be kept open at all times and this is shown on the proposed plans. To confirm, the formal diversion of the public footpath is subject to a separate application process.

#### *Green Infrastructure and open space*

6.5.10 Local residents have suggested that more open space is required, while in fact the proposal, including the community park is in excess of policy requirements. Residents have requested more landscaping between the existing dwellings and the proposed scheme. There is no policy requirement for this and it would lead to an area of un-maintained land between the two developments which is not desirable and does not result in good permeability.

6.5.11 There are also objections suggesting insufficient GI on the site. The level of GI is policy compliant and meets the objectives of ecology and water attenuation. The plans have gone through the HSE process and there was no objection to an attenuation pond being above the high pressure gas main pipe. The arboricultural report and accompanying plans have been

considered in detail by MCC's Tree Officer who considered that there was sufficient protection of tree roots as a result of the development.

### *Ecology*

6.5.12 Residents expressed concerns that the proposal detrimentally affects the SSSI. The redline boundary does not encroach onto the Castle Country Park or the SSSI. The reserved matters application has the same site boundary as the approved outline application. The applications have been considered by ecological specialists and where necessary mitigation is proposed. In relation to the remainder of the site, ecological interests, including bats and barn owls have been very carefully considered by MCC's Ecologist and suitable enhancement features have been incorporated into the design. The lighting strategy has also been considered carefully and found to be satisfactory.

### *Construction*

6.5.13 Concerns are also raised over the disruption caused during the construction phase of development. This is temporary disruption, although during that period there is potential for this to cause inconvenience. Thus, a construction management plan is proposed as a condition which will address issues such as noise and cleanliness e.g., debris on the existing roads (addressed via a wheel wash).

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

6.6.1 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.

## **6.7 Conclusion**

The principle of this development has been established under the outline planning permission. The proposal accords with the parameters of the outline application and delivers 130 new homes including 45 affordable units. The design and layout of the proposal provides a high proportion of green infrastructure and public open space including a country park and planting throughout the site. The design of the houses reflects the character of the recently completed residential development, adjacent to this site. The development promotes a strong sense of place that accords with the objectives of PPW10 and the policies of Monmouthshire LDP. It reflects the guidance set out in the Council's innovative Green Infrastructure SPG. There are several pedestrian links to the existing residential development that will assist permeability through the site and link it to existing residential areas and the town centre. The proposal will create a development that provides a place where its new residents would enjoy living and its sustainable features and linkages will allow them to access all day-to-day facilities without having to use the private motor car.

## **7.0 RECOMMENDATION: APPROVE**

### Conditions:

1. 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.

2. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order, with or without modification) the garages hereby approved on plots 82 to 92, 99-100 & 109-114 (inclusive) shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. These garages shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwelling hereby approved.

Reason: The garage is the a key element of the parking being provided and its loss for this purpose may lead to parking and amenity problems and to ensure compliance with LDP Policy MV1.

3. No part of the development hereby permitted shall be occupied until the following actions have taken place:

a) Following remediation a Completion/Validation Report, confirming the remediation has being carried out in accordance with the approved details, shall be submitted to, and approved in writing by, the Local Planning Authority.

b) Any additional or unforeseen contamination encountered during the development shall be notified to the Local Planning Authority as soon as is practicable. Suitable revision of the remediation strategy shall be submitted to and approved in writing by the Local Planning Authority and the revised strategy shall be fully implemented prior to further works continuing.

Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

4. Prior to import to site, soil material or aggregate used as clean fill or capping material, shall be chemically tested to demonstrate that it meets the relevant screening requirements for the proposed end use. This information shall be submitted to and approved in writing by the Local Authority. No other fill material shall be imported onto the site.

Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

5. Prior to commencement of development, the developer shall display a site notice in accordance with the terms of Schedule 5A Article 24B(2) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) to inform the local planning authority and the public that a commencement of works is to start, and that all pre-commencement planning conditions have been discharged. The planning authority shall also be notified directly of this intention.

Reason: to comply with the terms of Schedule 5A Article 24B(2) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended).

6. All of the trees in the front gardens of plots 34, 35, 81, 82, 83, 84, 88, 89, 90, 92,99, 100, 105, 109, 110, 111, 112,113 and 114, shall be retained in perpetuity and may not be felled without the prior written approval of the Local Planning Department. Any trees, in the front gardens of these plots that are removed shall be replaced with trees that are the same species and size during the next planting season following their removal.

REASON: To protect valuable tree or on the site in the interest of preserving the character and appearance of the visual amenities of the area in accordance with LDP Policy GI1. The trees on these plots form an important element of the strategic landscaping of this site