

APPLICATION DETAILS

No: 07/0798 Ward: **ST JULIANS**

Type: DISCHARGE OF CONDITIONS

Expiry Date: 24/07/2007

Applicant: **ATKINS LIMITED**

Site: **LAND TO SOUTH OF AND INCLUDING GLEBELANDS STADIUM BANK STREET NEWPORT SOUTH WALES**

Proposal: **PARTIAL DISCHARGE OF CONDITION 10 (ROUTE OF CONSTRUCTION) OF PLANNING PERMISSION 00/0768 FOR REPLACEMENT SCHOOL AND RESIDENTIAL DEVELOPMENT - AMENDMENT OF PARTIAL DISCHARGE OF CONDITION 06/0169**

CONSULTATIONS

HEAD OF ENGINEERING AND CONSTRUCTION: No objection.

HEAD OF PUBLIC PROTECTION AND ENVIRONMENTAL SERVICES: 50 lorries a day (equating to 100 trips) for 32 weeks will have a significant effect on residents along the haul route and likely to generate complaints of noise and vibration.

REPRESENTATIONS

NEIGHBOURS: One letter received objecting because the Council has not consulted the residents in St Julians.

SITE HISTORY

00/0768/O	Replacement school, all weather pitch, hard and soft play areas and residential development.	Granted with Conditions 31 October 2000.
03/1531/RM	Erection of replacement school, all weather pitch, soft and hard play areas and residential development.	Approved with Conditions 19 May 2004.
06/0169/CD	Partial discharge of condition 09 (Wheelwash and Dust Suppression) and 10 (Route of Construction) of Planning Permission 00/0768 for replacement school and Residential development.	Approved 28 April 2006.

POLICY CONTEXT

Newport Unitary Development Plan 1996 -2011 (Adopted May 2006)

Policy SP2 requires high quality of design in all development proposals. New development should seek to enhance the site and the surrounding area and to provide benefit to the community as a whole.

Policy SP10 requires sufficient land to be made available for new housing. The land will be provided primarily on previously developed land, including new allocations set out in Policy H1.

Policy H1 allocates 2.8 hectares of land at the Glebelands for housing.

Policy CF6 encourages public access along the riverfront on both the east and west banks of the river. Joint use by pedestrians and cyclists will be implemented through appropriate design.

Policy CF15(1) allocates land at the Glebelands for a new primary school.

Policy CE6 only permits development which would affect a nationally designated site where the proposal would not have an adverse effect on the nature conservation interest of the site and the reasons for the development of the site clearly outweigh the value of the site itself.

Policy CE38 encourages good quality design in all forms of development.

Policy CE39 requires proposals for new residential development to respect or complement existing surroundings and neighbouring buildings.

Policy CE44 requires adequate arrangements for securing an accessible environment for everyone.

Policy T14 encourages recreational and sustainable transport initiatives, including safe walking and cycle routes.

Policy U13 states that proposals affecting a site that is known to be contaminated will need to be the subject of a comprehensive site assessment in order to establish the nature and extent of the problem. Development will not be permitted unless effective measures are taken to ensure that occupiers of the development along with adjacent uses are not exposed to unacceptable risk, and the contamination of any watercourse or aquifer does not occur. Usually contamination should be treated on site. Remedial measures must be agreed as the first step in the carrying out of development.

ASSESSMENT

This application relates to condition 10 attached to the outline planning permission for this site. The original condition states:

“Prior to the commencement of construction on the approved scheme, details of the route by which all construction traffic will access the site, the number and size of vehicles required to import plant and equipment and a timetable for construction works shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, construction traffic shall only use the approved routes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the impact of construction activity upon residential amenities and to safeguard highway interests.”

Already Agreed

This condition has been partially discharged in April of last year. The purpose of the condition was to enable the Authority to control the route of construction traffic. Seven options (plans A-G) were put forward with Plan B being the preferred option. However plan B is not possible without access from the M4 and any subsequent ramp from this location being granted planning permission. In light of this, Plan F was the preferred option. It was considered that this option would best answer all the safety concerns and will have the smallest environmental impact on local residents and businesses. In excess of 500 movements per week were shown from week 21 until week 47. In some weeks the movements were anticipated to be less. It was considered appropriate to partially discharge the condition in order to facilitate the commencement of development but negotiations should continue with regards to achieving routes with less environmental, amenity and safety implications.

Proposed Amendment to What Has Been Agreed

This partial discharge of condition 10 seeks permission to revise the schedule of deliveries of fill material to the site. This is to be based on week numbers rather than dates. The revised schedule shows 255 movements per week (51 per day) from week 7 until week 20, 280 per week until week 26, between 300 and 375 per week until week 39 of the construction timetable. Consequently, the number of vehicle movements is substantially reduced. The construction route remains unchanged from that previously approved.

Reason for the Amendment

The construction programme has been revised and consequently the timetable submitted for lorry movements associated with the land raising work is out of date. Also, due to the quantity of fill required to surcharge the residential site the quantity of imported material has been significantly reduced. Fewer lorry movements are required due to the timescale of the approved residential development. The previously approved lorry movements were based on the need to import significantly more fill material in order to speed the process of surcharging the land. This involved tipping additional fill material on the site to speed the settlement using the weight of the extra material. A developer for the housing site has now confirmed its proposed phasing, which

involves a slower pace to the residential development. Consequently, it is no longer necessary to import additional material to speed up the settlement process, nor to remove the surplus material towards the end of the development. Instead, a reduced quantity will be brought onto the site, used to surcharge the first phase, then moved to be surcharged on the second phase, and so on.

In the interests of clarity, it is confirmed that the amended delivery schedule involves using the same sized lorries as previously, and that these will use the previously approved route for “*normal load*” construction traffic; namely Turner Street and Herbert Road.

The proposed amendment results in significantly less lorry movements per day. The last approved partial discharge of conditions application anticipated up to 125 movements per day, whereas now 50 are anticipated. Overall, the lorry movements proposed on this construction timetable are nearly half that proposed on the previously approved application. It is therefore considered wholly acceptable to allow the change as less noise, vibration and general disturbance should result from this construction timetable than the previously approved one.

The Head of Public Protection and Environmental Services has raised concern over the number of lorry movements and the potential complaints from neighbouring residential properties due to noise and vibration. However, as stated above, there are fewer movements now proposed, less harm is anticipated to result than as per the previously approved application. The applicant has previously agreed to undertake monitoring to properties along the construction route.

One letter has been received objecting because the Council has not consulted the residents in St Julians. Consultation for this application has gone well beyond what is normally carried out for discharge of conditions as the principal of the development has been approved previously (under the full planning application) where full consultation for neighbours was carried out. Due to the high residential interest at the full planning stage it was decided to consult the Glebelands Action Group, two representatives of the local residents, erect 3 (No) site notices in the area and advertise the applications in the local newspaper. It is therefore considered that considerable consultation and publicity has taken place. Further to this, a newsletter regarding the Glebelands developments has recently been distributed to local residents and this newsletter makes reference to this application.

No further concern has been raised and the proposed amendment is considered acceptable. No other routes with less environmental, amenity and safety implications have been discovered since the approval last April. The proposed amendment to the construction schedule will result in significantly fewer lorry movements along the same route as previously approved, and will, therefore, result in significantly less impact on local residents. It is therefore recommended that this condition be partially discharged.

RECOMMENDATION

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: ‘Site Delivery Programme – Rev E’, and ref 43/1.

02 This decision is an amendment to planning (Application No 06/0170/CD). The remediation strategy shall be completed in accordance with the detail previously approved provided under this application (Application No 06/0170/CD).
