

APPLICATION DETAILS

No: 24/0678 **Ward:** Pillgwenlly

Type: Full (Major)

Expiry Date: 7th April 2025

Applicant: *Monmouthshire Housing Association*

Site: *Monbank Development Site Cardiff Road Newport South Wales*

Proposal: ***PROPOSED DEVELOPMENT OF 42 NO. DWELLINGS, LANDSCAPE PLANTING AND ASSOCIATED WORKS***

Recommendation: **Granted with conditions subject to a S106 Agreement**

1. INTRODUCTION

- 1.1 This application is being reported to Planning Committee for consideration as it meets the definition of major development as defined by The Town and Country Planning (Development Management Procedure) (Wales) Order 2012.
- 1.2 The proposed development has been screened under Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It is concluded that the development is unlikely to have a significant environmental effect and is not EIA development.
- 1.3 Site Context
- 1.3.1 The application site comprises of 2 parcels of land separated by a section of adopted highway linking the B4237 with the residential development known as 'MonBank'. The site(s) is located within the defined urban boundary as shown on the proposals maps that accompany the Newport City Council Local Development Plan (LDP) and the immediate adjacent built form comprises of a purpose built residential development.
- 1.3.2 Both parcels of land are irregularly shaped, the smaller parcel to the south is sited at a lower level than the separating road however has a generally level topography across the site. The larger parcel to the north has a generally level topography however the land levels sharply decline towards the cycle track that runs along the boundary of the site. The railway line runs to the north and west of the application sites.
- 1.3.3 The southern parcel of land has most recently been used by Network Rail as a storage area/railway sidings and although it is starting to slowly vegetate with self seeding plants, it is generally an open site consisting of hardstanding. The northern parcel consists of a grassed area with a small number of young trees located within the site.
- 1.4 Description of Development
- 1.4.1 This application seeks consent for the development of 42 dwellings, landscape planting and associated works. All of the residential units proposed are to be affordable housing in accordance with the definition within TAN 2. The development is proposed as 2 storey with a typical residential design/appearance. Parking provision is proposed with one off street parking space per unit and visitor parking spaces provided throughout the site.
- 1.4.2 The southern and smaller parcel of land is proposed to accommodate 12 residential units consisting of 4 dwellinghouses, arranged as 2 sets of semi-detached pairs and 8 flats, arranged as 2 blocks each with 4 flats however each block is designed to appear as a pair of semi-detached dwellings. Access is proposed to be gained via the existing access point that is located centrally on Capel Dewi Hall Road with the residential units set back in the plot facing towards the previously completed MonBank development. The internal highway, parking areas and areas of open space/landscaping would separate the houses from Capel Dewi Hall Road.

- 1.4.3 The northern parcel would accommodate the remaining 30 residential units arranged with 3 access points coming off Amberly Hall Road. The properties are arranged with a proposed layout that faces onto the existing public realm with SuDS areas and landscaping located throughout the site.

2. RELEVANT SITE HISTORY

Application Number	Proposal Description	Decision
07/0540	RESIDENTIAL DEVELOPMENT AND ASSOCIATED WORKS (OUTLINE)	Granted 25.01.2011 subject to section 106 and unilateral undertaking
08/0762	CREATION OF ACCESS ONTO CARDIFF ROAD, INCLUDING TRAFFIC SIGNAL CONTROLLED JUNCTION AND REPLACEMENT BRIDGE	Granted with conditions 20.11.2008
12/0058	FORMATION OF VEHICULAR ACCESS ONTO CARDIFF ROAD, INCLUDING TRAFFIC CONTROLLED JUNCTION, REPLACEMENT BRIDGE AND PART INTERNAL ACCESS ROAD	Granted with conditions 25.04.2012
12/1116	RESERVED MATTERS FOR PHASE 2A AND 4A; ERECTION OF 87NO. DWELLINGS AND ASSOCIATED WORKS RELATING TO PLANNING PERMISSION 07/0540 FOR RESIDENTIAL DEVELOPMENT AND ASSOCIATED WORKS	Approved with conditions 28.03.2013 – 87 units
12/1119	RESERVED MATTERS FOR PHASE 2C; ERECTION OF 17NO. DWELLINGS AND ASSOCIATED WORKS RELATING TO PLANNING PERMISSION 07/0540 FOR RESIDENTIAL DEVELOPMENT AND ASSOCIATED WORKS	Approved with conditions 12.02.2013 – 17 units subsequently increased to 20 units via 13/0272
13/0850	ERECTION OF 314 TWO, THREE AND FOUR BEDROOM DWELLINGS (RESERVED MATTERS)	Approved with conditions 25.11.2013 – 314 units
13/1172	ERECTION OF 85 TWO, THREE AND FOUR BEDROOM DWELLINGS (RESERVED MATTERS) AND ASSOCIATED WORKS RELATING TO PLANNING PERMISSION 07/0540 FOR RESIDENTIAL DEVELOPMENT	Approved with conditions 15.1.2014 – 85 units
20/1068	ERECTION OF A CLASS A1 FOODSTORE WITH ASSOCIATED ACCESS, CAR PARKING AND LANDSCAPING	Refused 3.11.2021

3. POLICY CONTEXT

3.1 Future Wales: The National Plan 2040

Policy 1 – Where Wales will grow

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

Policy 7 – Delivering Affordable Homes

Policy 9 – Resilient Ecological Networks and Green Infrastructure

Policy 13 – Supporting Digital Communications

Policy 33 - National Growth Area - Cardiff, Newport and the Valleys

Policy 36 - South East Metro

3.2 Planning Policy Wales 12

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 of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as

the Socio-economic Duty. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

3.3 Technical Advice Notes

Technical advice note (TAN) 2: planning and affordable housing
Technical advice note (TAN) 5: nature conservation and planning
Technical advice note (TAN) 11: noise
Technical advice note (TAN) 12: design
Technical advice note (TAN) 18: transport

3.4 Newport City Council Local Development Plan (2011-2026)

3.4.1 Objectives:

Objective 1 – Sustainable Use of Land
Objective 2 – Climate Change
Objective 4 – Housing Provision
Objective 5 – Conservation of the Built Environment
Objective 6 – Conservation of the Natural Environment
Objective 8 – Culture and Accessibility
Objective 9 – Health and Well-being
Objective 10 – Waste

3.4.2 Policies:

SP1 – Sustainability
SP3 – Flood Risk
SP10 – House Building Requirement
SP13 – Planning Obligations
SP18 – Urban Regeneration
GP2 – Amenity
GP4 – Highways and Accessibility
GP5 – Natural Environment
GP6 – Quality of Design
GP7 – Environmental Protection and Public Health
H1 – Housing Sites
H2 – Housing Standards
H3 – Housing Mix and Density
H4 – Affordable Housing
T4 – Parking
CF2 – Outdoor Plan Space Requirements
W3 – Provision for Waste Management Facilities in Development

3.4.3 Supplementary Planning Guidance:

Sustainable Travel
Planning Obligations
Affordable Housing
Wildlife and Development
New Dwellings
Waste Storage and Collection
Parking Standards
Outdoor Play Space Provision
Air Quality
Trees, Woodland, Hedgerows and Development Sites.

3.5 Other Legislative Considerations

Environment (Wales) Act 2016
Well-being of Future Generations Act 2015
Llwybr Newydd: the Wales Transport Strategy

4. **CONSULTATIONS**

4.1 CADW: The proposed development will not have an unacceptably damaging effect upon the setting of the registered park and garden PGW(Gt)19(NPT) Bellevue Park.

4.2 Dwr Cymru Welsh Water: Foul Water: We can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site.

Surface Water: Turning to surface water drainage, as of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. In this instance, we offer no objection to proposals for disposal of surface water flows into a surface water body, in principle, subject to consultation and agreement with the regulatory body or riparian owner of this system.

Conclusion: Accordingly, if you are minded to grant planning consent for the above development, we would request that the following Advisory Notes are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Water Supply: Dwr Cymru Welsh Water has no objection to the proposed development.

4.3 Network Rail: We have been working with Monmouthshire Housing Association for some time in identifying a suitable and beneficial use for this land and are pleased to provide our full support for the application. We believe that the proposed intended use of the land for residential use, represents the most appropriate and efficient use of the site in line with Objective 1 of the LDP, given its sustainable position adjacent to a wider housing allocation (H14). Additionally the creation of much-needed housing aligns well with both local requirements and Newport Council's wider development strategies, as outlined in objective 4 (Housing Provision) of the Newport Local Development Plan (2015), to support growth to meet local housing need. As the landowner, we have carefully evaluated various options and are confident that the intended housing use offers a sustainable, long-term solution for the land that will provide sustainable, affordable, and high-quality housing. We, therefore, express our full support for planning application 24/0678 and look forward to its successful approval.

4.4 Natural Resources Wales: We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following conditions to any planning permission granted:

Summary of Conditions

Conditions 1-2: Land contamination and controlled waters

Please note, without the inclusion of these conditions we would object to this planning application. Further details are provided below.

Land Contamination and Controlled Waters

We note the submission of the Site Investigation Report (Integral Geotechnique, November 2023). Having regard to this document we update our pre-application advice, including request for conditions.

We advise we do not consider that the controlled waters at this site are of the highest environmental sensitivity, due to the presence of the underlying superficial deposits designated as an unproductive aquifer and an absence of significant surface waters within close proximity. However, due to the site's former land use it is considered that there is potential for contamination, therefore we recommend that the following conditions are attached to any planning permission granted:

Condition 1

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Justification: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future

users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

Condition 2

No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details. Justification: Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

European Protected Species

No new information appears to have been submitted with regards to European Protected Species, therefore we reiterate our pre-application advice: 'We note the findings of the Preliminary Ecological Appraisal by Ecological Services Limited, dated 22nd December 2023. We recommend you seek the advice of the Local Authority's Ecologist to establish whether further information, including species-specific surveys, are needed in relation to European Protected Species to inform the determination of the application. Any species-specific survey should be carried out in accordance with best practice guidelines. The planning authority will consult us again if any species-specific survey undertaken finds EPS are present at the site, and they require further advice from us.'

Designated and Protected Sites

No new information appears to have been submitted with regards to Designated and Protected Sites, therefore we reiterate our pre-application advice: 'The site is located within 1.3km of the River Usk Special Area of Conservation (SAC) and within 1.3km of the River Usk (Lower Usk) Site of Special Scientific Interest (SSSI). We have identified pollution as a potential impact pathway to features of these sites. However, we would consider the above pathway would not result in an adverse effect if the developer adhered to standard pollution prevention guidelines. Further information on standard pollution prevention guidelines is provided under the 'Advice for the developer' section below.'

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests. We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

- 4.5 Heneb: Information in the regional Historic Environment Record (HER) shows that there are no records or designated sites located within the application area. A review of the historic Ordnance Survey maps (dating from 1884 to 1937) shows the presence of railway sidings, later known as the Monmouthshire Bank Sidings, several small structures, embankments and earthworks, associated with the railway, located within the area. The Monmouthshire Bank Sidings along with the adjacent Whitehead Steel Works were constructed on former marshland, which was reclaimed in the medieval period. It is noted from previous development within the immediate vicinity, and from the application's submitted documents that the site has undergone extensive clearance and relatively recent reclamation and remediation works. These works were comprised of the dismantling and removal of the railway lines, and the releveling and raising of ground levels. It is also noted that the levels of made ground (comprised of a mixture of fill and reworked natural materials) may range from c2m to over 5m depth below ground level. There is also further information from the submitted documents that the site was also registered as an historical landfill site. Consequently, it is considered that there will not be a detrimental impact upon the buried archaeological resource and it is unlikely that significant archaeological remains will be encountered during the course of the development. As a result, there is unlikely to be an archaeological constraint to this proposed development and therefore, as the archaeological advisors to your Members, we have no objections to the positive determination of this

application. The record is not definitive however, and should any remains be disturbed or encountered during the works please contact this division of the Trust.

4.6 South Wales Fire & Rescue: The proposed site plan in relation to the above has been examined and The Authority wish the following comments to be brought to the attention of the committee/applicant. It is important that these matters are dealt with in the early stages of any proposed development. Changes to our climate and weather patterns will have a significant impact on the well-being of both current and future generations. In line with the Well-being of Future Generations (Wales) Act 2015 and the Future Wales – the national plan 2040 framework document, the following areas should be considered early in the planning process:

The climate emergency is likely to increase the risk of flooding as a result of sea level rises, more frequent severe weather systems and more intense rainfall.

Planning authorities should adopt a precautionary approach of positive avoidance of building developments in areas of flooding from the sea or from rivers. Surface water flooding will affect the choice of location and the layout and design of schemes and these factors should be considered at an early stage in formulating any development proposals. Wildfires are a significant potential threat particularly in populated areas adjoining green spaces such as mountains or forestry. Therefore, it is critical that new developments are designed with this in mind. Where a new development is proposed in an area which is at risk of a wildfire, consideration should be given on how to mitigate the spread of wildfires. For example, sustainable land management could assist with prevention measures. Large Commercial Solar Arrays, Battery Energy storage Facilities, Electric Vehicle

Parking/Charging Facilities:

Fires involving the installations detailed above can be very difficult to extinguish.

Conditions can cause a thermal runaway within battery cells, which is a highly exothermic reaction creating toxic, flammable, and/or explosive chemical atmospheres. The developer of such sites should ensure they have suitable safety measures to contain and restrict the spread of fire, using fire-resistant materials and adequate separation between locations where energy systems may be stored.

Active fire safety systems should be incorporated into the design if necessary and may include, automatic fire detection systems, automatic fire suppression and smoke control systems. The Authority recognises that the charging of electric vehicles and the use of batteries (including lithium-ion) as Energy Storage Systems (ESS) is a new and emerging practice in the global renewable energy sector. As with all new and emerging practices within UK industry, developers should consider the risks associated with such systems early in the design stage of the project.

Standing Advice.

The site plan/s of the above proposal has been examined and The Authority would wish the following comments to be brought to the attention of the planning committee/applicant. It is important that these matters are dealt with early on in any proposed development:

- The Fire Authority has no comment to make on access for fire appliances or water supplies.
- The Fire Authority has no objection to the proposed development and refers the Local Planning Authority to any current standing advice by the Fire Authority about the consultation.

The developer should also consider the need for the provision of:-

- a. adequate water supplies on the site for firefighting purposes; and
- b. access for emergency firefighting appliances

4.6 Gwent Police: To support my recommendations around the design and layout, physical security

requirements, and product recommendations I have reviewed the crime statistics for the ward area (Pill) and specifically the proposed development location of Monbank for a 12-month period between 1 st June 2023 – 1 st June 2024.

From a Policing perspective the development is located in the Newport County Borough Council area, within the Pill sector and Pillgwenlly Ward. The Pillgwenlly ward is 1 of 4 wards located within the Pill Sector of Newport. From examining the crime/incident data, I am satisfied that the proposed development

location is not currently being affected by any significant ongoing crime trends or patterns.

Gwent.

I can confirm that the current call volume and demand from the area is not having a detrimental effect on Policing or the community within the location.

At this time, I do not have any clear objections to the application.

When offering crime prevention and physical security advice we take guidance and best practice from the range of guides supplied by Secured by Design (SBD).

This development is seeking SBD accreditation which an application form has been submitted. Discussions have been conducted with the developer and the below recommendations have been made in line with SBD requirements. Recommendations

Layout and Design -

From reviewing drawing A004 - Boundary layout (rev,-) I am satisfied with the overall layout, orientation, and design of the development. All of the properties provided good surveillance onto the communal areas and neighbouring properties from active rooms. All parking has been located either to the side, or in front of developments offering surveillance over all parking bays. The road into the site is clear of obstruction, straight, and intuitive through the development.

Landscaping -

For all larger trees on the development it is recommended that their branches/foliage does not drop below 2m. Any smaller trees/shrubs it is recommended that these do not exceed 1m. This then provides at least a 1m clear line of sight and natural surveillance across the development.

Some of the trees are to be positioned near to or on boundary lines. These will need to be maintained so that they do act as climbing aids into the development.

Boundaries -

From reviewing drawing A004 - Boundary layout (rev,-) I note the 4 different boundary types proposed for the development.

Pink Line - Existing 2.1m pallisade fence - I am satisfied with the retention of this boundary line and its overall height and construction. I note on the drawings that a new path will adjoin the old path with a new gate. Will this gate be accessed control, or open for public access?

Orange Line - 900mm brick and 900 horizontal slats - I am satisfied with the over height and combination of materials. The top surmounted fence will need to be positioned flush with the external (public side) wall to prevent any form of step or seat. The horizontal slates will need to be placed in a vertical orientation to prevent them from being used as a ladder/climbing aid over the boundary line.

Light Blue Line - 1.8m/2.1m Timber fence - I am satisfied with the location, height, and construction of this boundary line. The current plans indicate it will be used on the rear of all plots 1-8 and for plots 13,14, and 15. For plots 1-8 the fence line is also supported by defensible hedging to its rear between the boundary line and the public footpath. If any side access gates are placed within these boundary lines they will need to be lockable from both sides to meet the requirements of SBD, and placed as closed to the front boundary elevation as possible.

Blue Line - 1100mm post and rail - This boundary type has been used for the rear of plots 9/10 and 11/12. I do have concerns regarding the use of this boundary at this location. SBD state in their guide regarding all rear boundaries that back onto a public footpath -

'Public footpaths should not run to the rear of, and provide access to gardens, rear yards or dwellings as these have been proven to generate crime. Vulnerable areas, such as exposed side and rear gardens, need more robust defensive barriers by using walls or fencing to a minimum height of 1.8m. There may be circumstances where more open fencing is required to allow for greater surveillance. Trellis topped fencing can be useful in such circumstances' Whilst the development area is low crime, I do not want to design in features that can promote crime. When comparing the front and rear boundaries of plots 1-8 their fronts have excellent natural surveillance from neighbouring properties. Their rear boundary line has a combination of a large defensible hedge row, with the support of a robust 1.8m fence that can not be accessed from the public space. When this is compared to plots 9/10 and 11/12 their front boundaries offer the same attributes as 1-8 but their rear boundary is extremely vulnerable. The rear backs onto 2 public footpaths and has no natural surveillance from either neighbouring properties or any formal surveillance. The proposed permeability, surveillance, and physical security of the development at this location could potentially allow offenders to easily access the rear of these units undetected to commit crime and offer an easy protected escape route.

It is my recommendation that the rear boundaries of plots 9/10 and 11/12 are provided with the same physical boundary as those of neighbouring properties (1-8 and 13-15) due to their

vulnerable location, lack of rear surveillance, and permeability.

Lighting (External)

All communal areas including - Front and rear communal areas, parking bays, footpaths, and stores, will require lighting. It is recommended that column lighting in accordance with BS 5489-1:2020 is placed within all of these areas. Bollard lighting can be used as a way finding method only, not as a primary light source.

5. INTERNAL COUNCIL ADVICE

5.1 Active Travel Officer: Point 3.8 of the Design and Access Statement declares that cycle storage for each property is to be provided in sheds at the rear of the properties. It also appears that the sheds are amply sized to accommodate this. As such, I would have no objection to the proposal.

5.2 Local Highways Authority: No objection. Following receipt of additional and amended detail we would now confirm that there are no sustained objections, subject to the following conditions.

Suggested Conditions:

The parking provision shown within the curtilage of each dwelling on the approved plans shall be provided prior to first occupation of the dwelling to which it relates. The parking provision shall not be used for any other purpose other than the parking of vehicles. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or re-enacting that order), no building works, which would reduce this provision, shall take place except following the express grant of planning permission by the Council.

Reason: To ensure that appropriate provision for parking vehicles is made and maintained, thereby avoiding hazards caused by indiscriminate parking.

Except for site clearance and remediation No development shall take place until a scheme for the provision of cycle parking in accordance with the Council's current standards has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) no building works, which reduce this provision, shall take place except following the express grant of planning permission by the Council.

Reason: To ensure that adequate provision is made for parking cycles on the site; and to establish measures to encourage non-car modes of transport.

A scheme for the provision of electric vehicle charging points, or passive provision, shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be provided prior to first occupation of each unit and retained as such thereafter.

Reason: To ensure that appropriate provision for current and future electric and electric/hybrid vehicles and encourage more sustainable means of transport.

5.3 Environmental Health Officer: An Environmental Noise and Vibration Statement compiled by Hunter Acoustics dated referenced 7069/ENS1_Rev2 has been submitted in support of the application. Which looked at the different types of noise issues that might affect sensitive receptors. I confirm I have no objections to the proposals; however the following condition should be attached to any permission granted;

Rail Noise

In terms of rail noise the report has identified that the Courtybella line runs North of the development. The report has mentioned that the vibration levels do not exceed the recommended levels. I therefore suggest the following conditions.

Railway Noise – Internal

No development, other than demolition, shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external railway noise in excess of 55 dBA Leq 16 hour (free field) during the day

(07.00 to 23.00 hours) or 45 dBA Leq 8 hour (free field) at night (23.00 to 07.00 hours) shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be able to be effectively ventilated without opening windows. No dwelling shall be occupied until the approved sound insulation and ventilation measures have been installed to that property in accordance with the approved details. The approved measures shall be retained thereafter in perpetuity.

Reason: To ensure that the amenities of future occupiers are protected.

Railway Noise – External

No development, other than demolition, shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the maximum day time noise level in outdoor living areas exposed to external railway noise shall not exceed 50 dBA Leq. The scheme of noise mitigation as approved shall be constructed in its entirety prior to the first occupation of any dwelling and shall be retained thereafter in perpetuity.

Reason: To ensure that the amenities of future occupiers are protected.

Railway Vibration

No development, other than demolition shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the dwellings are designed and constructed so as to ensure that vibration dose values do not exceed 0.4m/s^{1.75} between 07.00 and 23.00 hours, and 0.26m/s^{1.75} between 23.00 and 07.00 hours, as calculated in accordance with BS 6472-1:2008, entitled "Guide to Evaluation of Human Exposure to Vibration in Buildings", [1Hz to 80Hz]. The dwellings shall be constructed in accordance with the approved scheme.

Reason: To ensure that the amenities of future occupiers are protected.

Industrial Noise

The noise from the Whitehead Industrial Estate, located 63 meters from the nearest residence, has been assessed as having an adverse effect in accordance with BS 4142:2014. The report further recommends the implementation of sound insulation measures in line with BS 4142:2014+A1:2019.

Advisory - Sound insulation

In relation to sound insulation between the proposed separate residential dwellings, I have not commented. I assume that Building Control will ensure that the Building Regulations, is applied.

Plant and Equipment Noise

Noise emitted from plant and equipment located at the site shall be controlled such that the rating level, calculated in accordance with BS4142 2014, does not exceed a level of 5dB below the existing background level, with no tonal element to the plant.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

Construction Environmental Management Plan

No development shall take place until a site specific Demolition and Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting.

The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison
- Arrangements for liaison with the Newport City Council Noise & Neighbourhood Team
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within permitted hours.
- Mitigation measures as defined in BS 5228: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.

- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

- Measures to mitigate demolition dust and material causing a nuisance to local residents, for example sheeting of loads and wheel washing apparatus

Reason: To protect the amenities of occupiers of other premises in the vicinity.

Development/Construction Hours

To protect the amenity of existing residents, I would recommend that there is no arrival, departure, loading or unloading of vehicles, development and/or construction (including land raising and demolition if required) occurs outside the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays. There shall be no development on Sundays or Bank Holidays.

Advisory - Heating Systems

We encourage the highest practicable standards of building insulation and use of renewable forms of heating (such as ground and air source heat pumps) as opposed to natural gas boilers where possible. This action would contribute to the improvement of local air quality and reduce overall GHG emissions in the long term. The Environment (Wales) Act 2016 requires that Wales reduce its carbon emissions by 80% by 2050, reducing heat loss and the use of natural gas would help contribute towards this goal.

5.4 Public Right of Way Officer: The following points should be considered:

1. All PROW's (as shown on the Definitive Map) are legally required to remain completely unobstructed and be clear and available for safe public use at all times (including during construction works – unless a temporary closure/diversion order is applied for and granted beforehand);

2. The PROW users must not be endangered or disadvantaged in any way by the proposals (during construction and following completion);

3. The fabric of the PROW's must not be adversely affected in any way;

4. PROW users must be protected from any vehicles/plant associated with the works. All potential conflict should be risk assessed and managed accordingly.

5.5 Tree Officer: No objections to this application regarding trees. However , the street lighting plans need to show as an overlay in relation to the landscaping plan – this is imperative .

There have been well known issues on another part of this site which resulted in newly planted trees having to be removed for street lighting. This is of course completely unacceptable and should not be repeated.

6. REPRESENTATIONS

6.1 In accordance with the publicity requirements set out in The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 letters were sent to the neighbouring properties, site notices were erected within the vicinity of the application site and an advert was placed in the South Wales Argus.

6.2 Representations:

13 representations were received in response to the publicity exercise undertaken in relation to this application. The main points of concern have been summarised as: tenure of housing (all affordable), over development, lack of parking, loss of open space, adverse impact upon biodiversity/ecology.

7. ASSESSMENT

7.1 The key considerations in the assessment of this application are; the principle of development, placemaking, ecology and biodiversity interests, highway safety, and residential amenity.

7.2 Principle of development

7.2.1 The application site is located within the defined settlement boundary where there is a presumption in favour of development and the efficient use of land is encouraged. The thrust of both local and national planning policy is to direct new development towards

existing settlements where they can be best served by existing infrastructure and are most accessible via sustainable and public modes of transport, such requirements also form part of the duty under The Well-being of Future Generations Act and support the aims of Llwybr Newydd: the Wales Transport Strategy, which sets a mode share target of 45% of journeys to be made by walking, cycling and public transport by 2040.

- 7.2.2 In this instance, the application site(s) are located adjacent to the strategic residential development known as Monmouthshire Bank Sidings that was allocated within the Local Development Plan (Policy H1 14) where outline planning consent has previously been granted via an appeal for up to 575 houses. The land subject of this application is linked to the aforementioned planning appeal decision via a section 106 and unilateral undertaking offering the land to be used for employment purposes subject to a number of clauses including the need to market the land for employment purposes.
- 7.2.3 In 2018 agents acting for the owners of the land provided a report on the marketing process and disposal strategy to the Local Planning Authority. This confirms that marketing commenced in 2014 for B1 uses only. The report confirms no sustainable market for B1 uses on the site and recommends that other uses be explored. By that time the 2 year marketing period required by the UU had expired and the purpose of the report was to engage with the Council to discuss other potential uses. In 2020 an application for a food store was submitted on the larger of the two areas (20/1068). Whilst this application was refused the officer report confirms: *The [marketing] exercise found that there was no interest in the application site for a B1. The requirements of the legal agreement were discharged and it is now for the Council to consider other uses for the site.* Therefore, on the basis of the above the Local Planning Authority are satisfied that the enquiry site is previously developed land, the requirements of the legal agreements have been met and this land can be considered for residential development.
- 7.2.4 As previously stated the outline consent for the development known as Mon-Bank was granted for up to 575 houses, due to the legal agreements subject to this land it is important that any development complies with the requirements of the original consent. The already completed development consists of 517 residential units, therefore the proposed development of 42 units is still within the total numbers approved via the 2007 outline planning consent, accordingly no conflict with the requirements of the outline consent or legal agreement have been identified.
- 7.2.3 The proposed use for residential development within the defined urban boundary and within a sustainable location raises no objection. The proposal accords with the requirements of the original outline consent and legal agreements that this land is subject of. The land meets the definition of previously developed in accordance with the definition within PPW12 and the proposal is compatible with the neighbouring residential use. Given the above, the principle of the development is considered to be acceptable.
- 7.3 Ecology and biodiversity interests
- 7.3.1 Both parcels of the application site meet the definition of previously developed land in accordance with the definition contained within Planning Policy Wales 12, with their baseline for ecological/biodiversity value being assessed within the supporting Preliminary Ecological Assessment. The provides information outlining that the existing baseline ecological value of the site into consideration and comparing it against the value that would be achieved via the planting/landscaping as proposed that a net benefit for ecology/biodiversity can be achieved on site.
- 7.3.2 The PEA found that there was no evidence of the site being used by European Protected Species and did not recommend any further survey works in relation to EPS. A further

survey was recommended in relation to reptiles on site given the existing ground conditions, this survey work was undertaken and no evidence of reptiles on site was found.

7.3.3 NRW have reviewed the supporting survey works/documentation and have raised concerns to the proposed development, however, they are satisfied that such concern can be overcome by the imposition of planning conditions. The condition recommended relates to potential land contamination given the former use of the land.

7.3.4 The application is supported by a tree survey outlining the existing tree cover on/around the site additionally, planting information and a Landscape, Biodiversity & Amenity Strategy has been proposed for the site to demonstrate a biodiversity net benefit and management plan. This has been considered by The Council's Tree Officer, who has raised no objection to the proposed development however has raised concern over the lacking information in respect of street lighting as to ensure there is no conflict between the proposed planting and lighting. It is considered that this detail can be adequately controlled via a condition requiring details of street lighting to be submitted for approval by the LPA prior to the commencement of development.

7.4 Highway safety

7.4.1 The application sites are separated by Monmouth Castle Drive which provides access to/from the site across the railway into the wider highway network and also to Docks Way. The Local Highways Authority have been consulted on this application and are satisfied that the existing highway network has capacity to absorb any uplift in vehicular movements without resulting in any unacceptable adverse impact upon highway or pedestrian safety.

7.4.2 The proposed highway layout has been designed to an adoptable standard utilising the existing road network (where applicable) that serves the existing Mon-Bank development with the supporting transport surveys demonstrating that vehicular and pedestrian movements will be acceptable within the site taking account for a level of on street parking. Additionally the proposed layout has been designed in accordance with the adopted guidance of The Council in respect of servicing and refuse collection, accordingly, no concern or objection is raised in this respect. The application is supported by a refuse collection plan which outlines how the site will be served.

7.4.3 The proposed parking provision of 1 space per residential unit, plus visitor parking does fall below the adopted guidance, however given the highly sustainable location of the application site with local amenities within walking distance, access and proximity to active travel routes and public transport it is considered that a reduction in parking provision on site is justified and accords with the requirements of Future Wales and Planning Policy Wales 12. Furthermore, as the proposal is seeking a tenure of 100% affordable housing where car ownership is known to be less this further adds to the justification for lower levels of off-street parking.

7.4.4 Each property is proposed with a shed/storage area within the rear garden for cycle storage which further adds to the sustainable credentials of the scheme. The local highways authority raise no objection to the proposed development subject to conditions.

7.5 Residential amenity

7.5.1 The development of the site for residential purposes in comparison to the existing use and arrangement will inevitably have an impact on the residential amenity of those living closest to the site. However, based on the layout and hard and soft landscaping plans submitted, in association with the orientation of the site relative to the adjacent residential developments, the development is considered acceptable having regard to impact on existing neighbours.

- 7.5.2 Distances between existing and proposed houses would be sufficient so as not to unacceptably impact on privacy, light nor be significantly overbearing. It is however considered necessary to restrict permitted development rights to ensure that any future developments/alterations to dwellings do not result in any unacceptable impact upon the living conditions of neighbouring occupiers.
- 7.5.3 With regards to the living conditions of future residents the plans detail that each dwelling would benefit from an area of private enclosed amenity space of a sufficient scale as to accord with the Council's adopted guidance. It is noted that the railway runs in relative close proximity to the application site, in order to mitigate any impact in this respect acoustic fencing is proposed as the rear boundary enclosure of a number of the plots. Additionally, The Council's Environmental Health Department has been consulted on this application and raises no objection subject to conditions that would secure additional information in respect of noise impact.
- 7.6 Visual impact/design/character
- 7.6.1 The proposed design of the house types/flats is considered to be acceptable and appropriate within the context of the existing housing development. The layout is proposed to be outward facing where possible as to create active frontages and natural surveillance with a mix of exterior material finishes to provide visual interest. The use of hard and soft landscaping throughout the development is sensitively designed as to integrate the proposed development with the existing built form.
- 7.6.2 It will be necessary to secure details/samples of the external finishes and final details of hard and soft landscaping via condition to be submitted to the LPA at a later date however prior to the commencement of development.
- 7.6.3 Details of proposed boundary enclosures have been submitted which include close board fencing to enclose the majority of the private rear amenity areas of dwellings whereas masonry walls are proposed for the boundaries facing the public realm. It is considered that this boundary treatment scheme is acceptable for the development and the proposed materials relate well to their position and function within the development. It is considered appropriate to remove permitted development rights in relation to boundary enclosures to ensure control is retained in the future and to ensure there is no unacceptable impact upon the character of the area or upon highway safety.
- 7.6.4 It is considered that the proposed layout, scale and appearance of the proposal will not have a detrimental impact on the character and appearance of the area. It is considered that this proposal meets the stated aims of the allocation for the site and is considered to be an acceptable form of development.
- 7.7 Drainage
- 7.7.1 Due to the scale of the application site SAB approval would be required, this is a separate consent that sits outside the remit of the Town and Country Planning Act. However, drainage details have been provided and are illustrated on the proposed layout. The Council's Drainage Engineer has been consulted on this application and raises no objection, accordingly the LPA has no concern in respect of surface water drainage management on site.
- 7.7.2 In respect of foul water drainage, the application site is within an area served by public drainage/sewers accordingly, DCWW have been consulted on this application who raise no objection to the proposed development nor have they raised concern in relation to the capacity of the existing service within this area.
- 7.8 Response to third parties

- 7.8.1 Many of the points raised within the public consultation have been considered within earlier sections of this report, however, for completeness the main points will be addressed below:

Tenure of housing (all affordable): There is no upper limit to the number of affordable housing units to be provided on site nor should any assumption be made regarding the character of a person(s) that lives within affordable housing. Such concerns fall outside the remit of the Town & Country Planning Act and are given limited weight in the assessment of this application.

Over development: The total overall numbers that will be achieved within the wider Mon Bank development site will be less than the total number that was permitted via the outline planning consent. Additionally, the proposal consists of adequately scaled dwellings with suitable rear amenity areas and provision for parking, landscaping and drainage features, therefore the LPA does not consider that the proposal will result in an overdevelopment.

Lack of parking: The proposed parking provision is below the standards as adopted by The Council. However, the Local Highways Authority are satisfied that the proposed layout and number of parking spaces would be sufficient and would not prejudice highway or pedestrian safety within the area.

Loss of open space: The proposed development site consists of brownfield/previously developed land that is allocated for residential development within the LDP and benefits from outline planning consent, as such the LPA does not view this land as having any protection from development nor has any substantive evidence been produced that would suggest that there would be an overriding need to conserve this land, therefore this point is given limited weight in the assessment of this application.

Adverse impact upon biodiversity/ecology: The application sites have been surveyed with their baseline for ecological value assessed, in this case the value is considered to be limited and the LPA is satisfied that a net benefit for ecology/biodiversity can be achieved on site. Therefore, this point is given limited weight in the assessment of this application.

7.7 Section 106 Planning Obligation matters

In accordance with Policy SP13 of the adopted Newport Local Development Plan 2011-2026 and the adopted Planning Obligations Supplementary Planning Guidance, development will be required to help deliver more sustainable communities by providing, or making contributions to, local and regional infrastructure in proportion to its scale and the sustainability of the location. In this case, the usual section 106 planning obligations have been waived as the development is proposed to deliver 100% affordable housing. In order to secure the tenure of the dwellings as affordable this will be controlled via a S106 agreement.

8. **OTHER CONSIDERATIONS**

8.1 ***Crime and Disorder Act 1998***

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

8.2 ***Equality Act 2010***

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

8.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and

- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

A Socio-economic Duty is also set out in the Equality Act 2010 which includes a requirement, when making strategic decisions, to pay due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage.

8.4 The above duties have been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision. There would also be no negative effects which would impact on inequalities of outcome which arise as a result of socio-economic disadvantage.

8.6 ***Planning (Wales) Act 2015 (Welsh language)***

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

8.7 ***Newport's Well-Being Plan 2018-23***

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

9. CONCLUSION

9.1 The proposed development would deliver 42 much needed affordable houses in a sustainable location within the defined urban boundary. The proposal accords with the requirements of both the outline consent and legal agreements linked with the Monmouthshire Bank Sidings development of which this land is connected therefore no objection is raised to the principle of the development. There are no objections in respect of landscape impact, ecology/biodiversity interests or highway/pedestrian safety concerns therefore this application is recommended for approval subject to a S106 agreement to secure the tenure of the dwellings as affordable.

10. RECOMMENDATION: Granted with conditions subject to a S106 Agreement

1. The development shall be implemented in accordance with the following plans and documents

LT2404.00.01 - Site Location Plan
 621.02 Rev B Planting and Management Plan (Catherine Etchell)
 2460-103-1-Rev A SUDs Construction Details (Sheet 1) PHG
 2460-103-2-Rev A SUDs Construction Details (Sheet 2) PHG
 Design and Access Statement (August 2024)
 2460 100-1 REV I Engineering Layout Sheet 1
 2460 100-2 REV F Engineering Layout Sheet 2
 LT2402.04.01 REV P9 Proposed Site Layout
 LT2402.04.02 REV P6 Refuse Strategy Plan
 LTS2402.04.110 P2 House Type (4P 2B House) Plots 27 & 28
 LT2402.04.04 Materials Identification
 LTS2402.04.109 P2 House Type (4P 2B House) Plots 24-26 (site 1)

LTS2402.04.108 P2 House Type (4P 2B House) Plots 15-17 (site 1)
 LTS2402.04.107 P2 House Type (5P 3B Flat) Plots 29-30 (site 1)
 LTS2402.04.106 P2 House Type (5P 3B House) Plots 7-8 (site 2)
 LTS2402.04.105 P2 House Type (4P 2B House) Plots 21-23 (site 1)
 LTS2402.04.104 P3 House Type (4P 2B House) Plots 18-20 (site 1)
 LTS2402.04.103 P2 House Type (4P 2B House) Plots 12-14 (site 1)
 LTS2402.04.102 P2 House Type (4P 2B House) Plots 5-7 (site 1)
 LTS2402.04.101 P3 House Type (4P 2B House) Plots 5-6 (site 2)
 LTS2402.04.100 P2 House Type (2P 1B Flat) Plots 1-4, 8-11 (site 1) & 1-4 & 9-12 (site 2)
 LTS2402.04.03 P6 Proposed Boundary Identification
 LTS2402.04.02 P4 Proposed Refuse Collection Strategy
 LT2402.04.03 - Proposed Boundary Identification
 LT2402.04.104 - 4P 2B House - Plots 18-20 and 24-26.
 Landscape, Biodiversity & Amenity Strategy: 621.01 Rev A
 Transport Statement (Lime Transport) 23103 d1a (October 2024)
 Flood Consequences Assessment PHG 2460 (November 2024)
 Tree Survey (Treescene Ltd, November 2023)
 Preliminary Ecological Assessment (Ecological Services Ltd, December 2023)
 Reptile Survey (Ecological Services Ltd, July 2024)
 Environmental Noise and Vibration Assessment: 7069/ENS1_Rev2 (Hunter Acoustics)
 Drainage Strategy (PHG Consulting Engineers, May 2024)
 Site Investigation Report 14234/FG/23/SI

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based

2. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

3. No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Reason: Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

4. The parking provision shown within the curtilage of each dwelling on the approved plans shall be provided prior to first occupation of the dwelling to which it relates. The parking provision shall not be used for any other purpose other than the parking of vehicles. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or re-enacting that order), no building works, which would reduce this provision, shall take place except following the express grant of planning permission by the Council.

Reason: To ensure that appropriate provision for parking vehicles is made and maintained, thereby avoiding hazards caused by indiscriminate parking.

5. A scheme for the provision of electric vehicle charging points, or passive provision, shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be provided prior to first occupation of each unit and retained as such thereafter.

Reason: To ensure that appropriate provision for current and future electric and electric/hybrid vehicles and encourage more sustainable means of transport.

6. No development shall commence until a detailed plan showing the position of streetlight has been submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of visual amenity and biodiversity.

7. No development, other than demolition, shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external railway noise in excess of 55 dBA Leq 16 hour (free field) during the day (07.00 to 23.00 hours) or 45 dBA Leq 8 hour (free field) at night (23.00 to 07.00 hours) shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be able to be effectively ventilated without opening windows. No dwelling shall be occupied until the approved sound insulation and ventilation measures have been installed to that property in accordance with the approved details. The approved measures shall be retained thereafter in perpetuity.

Reason: To ensure that the amenities of future occupiers are protected.

8. No development, other than demolition, shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the maximum day time noise level in outdoor living areas exposed to external railway noise shall not exceed 50 dBA Leq. The scheme of noise mitigation as approved shall be constructed in its entirety prior to the first occupation of any dwelling and shall be retained thereafter in perpetuity.

Reason: To ensure that the amenities of future occupiers are protected.

9. No development, other than demolition shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the dwellings are designed and constructed so as to ensure that vibration dose values do not exceed $0.4\text{m/s}^{1.75}$ between 07.00 and 23.00 hours, and $0.26\text{m/s}^{1.75}$ between 23.00 and 07.00 hours, as calculated in accordance with BS 6472-1:2008, entitled "*Guide to Evaluation of Human Exposure to Vibration in Buildings*", [1Hz to 80Hz]. The dwellings shall be constructed in accordance with the approved scheme.

Reason: To ensure that the amenities of future occupiers are protected.

10. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (Or any order revoking and re-enacting that Order with or without modification, no fences, gates or walls, shall be erected other than those expressly authorised by this permission.

Reason: To protect the character and appearance of the proposed development

11. Notwithstanding the provisions of Schedule 2, Part 1, Class A (sections (h) and (j), B, C and D of The Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking or re-enacting that order with or without modification, no extensions with more than one storey, roof enlargement or alterations and porches shall be erected.

Reason: To protect the character and appearance of the proposed development and the living conditions of neighbouring occupiers.

12. Notwithstanding the details of the approved plans, prior to any works taking place above slab level of each dwelling unit, samples of the proposed external finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried

out in accordance with those agreed finishes which shall remain as such thereafter unless otherwise approved in writing by the Local Planning Authority. The samples shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works.

Reason: In the interests of the visual amenity of the application site and wider area

13. No development shall take place until a site specific Demolition and Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting.

The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison

- Arrangements for liaison with the Newport City Council Noise & Neighbourhood Team

- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within

permitted hours.

- Mitigation measures as defined in BS 5228: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction

and Open Sites shall be used to minimise noise disturbance from construction works.

- Procedures for emergency deviation of the agreed working hours.

- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

- Measures to mitigate demolition dust and material causing a nuisance to local residents, for example sheeting of loads and wheel washing apparatus

Reason: To protect the amenities of occupiers of other premises in the vicinity in accordance with Policy GP7 of the Newport City Council Local Development Plan.

- 14 The development shall be carried out in strict accordance with the details and recommendations contained within approved documents 621.01 Rev B Landscape, Biodiversity & Amenity Strategy (Catherine Etchell).

Reason: To achieve a net-benefit for biodiversity on site in accordance with the requirements of Future Wales Policy 9 and GP5 of the Newport City Council Local Development Plan.

- 15 Prior to beneficial occupation of the dwellings hereby approved, visibility splays as demonstrated on the approved plans in both directions from the centreline of the access shall be provided from all adoptable side roads and private access and shall be maintained in perpetuity. Any wall/fence within the visibility splays must not exceed 0.9 metres in height above the existing carriageway level and any planting within the visibility splay must not exceed 0.6 metres above the existing carriageway level.

Reason: In the interest of highway and pedestrian safety.

NOTE TO APPLICANT

01 This decision relates to plan Nos:

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

As of 1st October 2012 any connection to the public sewerage network (foul or surface water sewerage) for the first time will require an adoption agreement with Dwr Cymru Welsh Water. For further advice contact Dwr Cymru Welsh Water on 01443 331155.

03 EIA Screened – ES Not Needed

The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

The above duties have been given due consideration in the determination of this application.