

APPLICATION DETAILS

No: 16/1285 **Ward:** ST JULIANS

Type: DISCHARGE CONDITIONS

Expiry Date: 13-FEB-2017

Applicant: KEEPMOAT

Site: LAND TO SOUTH OF GLAN USK PRIMARY SCHOOL, HERBERT ROAD, NEWPORT

Proposal: PARTIAL DISCHARGE OF CONDITION 7 (PHASING) OF PLANNING PERMISSION 13/1279 FOR THE DEVELOPMENT OF 251 DWELLINGS AND ASSOCIATED WORKS INCLUDING BOUNDARY TREATMENTS, RETAINING WALLS, VEHICULAR ACCESS, PARKING, PATHWAYS AND LANDSCAPING AFFECTING PUBLIC RIGHT OF WAY 407/1

DECISION: APPROVED

1. CONSULTATIONS

1.1 None.

2. INTERNAL COUNCIL ADVICE

2.1 None.

3. REPRESENTATIONS

3.1 None.

4. RELEVANT SITE HISTORY

Ref. No.	Description	Decision & Date
13/1279	DEVELOPMENT OF 251 DWELLINGS AND ASSOCIATED WORKS INCLUDING BOUNDARY TREATMENTS, RETAINING WALLS, VEHICULAR ACCESS, PARKING, PATHWAYS AND LANDSCAPING AFFECTING PUBLIC RIGHT OF WAY 407/1	GC 11 August 2015

5. ASSESSMENT

5.1 The applicant is seeking to partially discharge condition 7 (phasing) of planning permission 13/1279 for the development of 251 dwellings and associated works including boundary treatments, retaining walls, vehicular access, parking, pathways and landscaping affecting public right of way 407/1. That condition reads as follows:

The development of the land shall proceed sequentially in accordance with an approved phasing plan and phasing programme setting out the proposed phasing of development on the site which shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. The development of the land shall proceed in accordance with the approved phasing plan and phasing programme and shall have regard to the requirement to implement the riverfront treatment at an early stage of the development.

Reason: *in the interests of controlling the phased development of the site.*

5.2 The applicant has submitted a plan showing a 4 phase development which will proceed as follows:

Phase	Location	Dates
1	River front and reen	May 2017 – July 2018
2	Northern end of site and remaining river frontage	January 2018 – August 2019

3	Centre of site	November 2018 – March 2020
4	Adjacent to railway (eastern part of site)	July 2019 – December 2020

5.3 The programme of works for Phase 1 is identified as follows:

- 20 No. apartments in 3 separate blocks.
- First phase of access road and turning head (along river frontage).
- Provision of foul drainage.
- Surface water drain to existing reën.
- Provision of retaining structures on Phase perimeter as required.
- Services to first three apartment blocks.
- Vehicular and pedestrian access to the T.S. Resolute
- Works to river bank – bund, planting and fencing (& extinguishment of PRow).
- Maintenance of emergency access lane to school.
- Create reën including lining, outfall and landscaping.
- Bridge over reën.
- Works to manholes to adjust for new levels.
- Provision of fencing, including acoustic fencing.
- Divert 11KvA electrical cable.
- Section 278 Works (works to existing highway).

5.4 The proposal identifies a logical site development process with the works to the river front being completed at an early stage which is desirable to close off the ecologically valuable river corridor from the development site at an early stage. The remainder of the proposed phasing on an effectively west to east basis is acceptable.

6. OTHER CONSIDERATIONS

6.1 ***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.

6.2 ***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.

6.3 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.

6.4 The above duty has 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.

6.5 ***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.

6.6 **Wellbeing of Future Generations (Wales) Act 2015**

Section 3 of the Act 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 (section 5). This duty has 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.

7. CONCLUSION

7.1 The condition is discharged in part.

8. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos:

- Drawing – Phase 1 Revision L (18/01/2017)
- Drawing - Phasing Revision H (03/01/2017)

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). No policies were relevant to the determination of this application.

03 As consideration of this request did not raise significant additional environmental matters over and above those previously considered as part of the original application, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.
