

APPLICATION DETAILS

No: 17/0113 **Ward:** ST JULIANS

Type: DISCHARGE CONDITIONS

Expiry Date: 06-APR-2017

Applicant: KEEPMOAT

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

Proposal: PARTIAL DISCHARGE OF CONDITION 25 (DELIVERY PLAN) OF PLANNING PERMISSION 13/1279 FOR 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 HEAD OF STREETSCENE & CITY SERVICES (HIGHWAYS): No objection.

3. REPRESENTATIONS

3.1 NEIGHBOURS: One comment received commenting as follows:

- The new road being constructed along the river front is noisy and dangerous for residents.
- The riverfront walk to Glan Usk School will no longer be safe.
- Current building operations are causing noise and vibration in adjacent dwellings.

4. RELEVANT SITE HISTORY

| Ref. No. | Description | Decision & Date |
|----------|---|------------------------|
| 00/0768 | REPLACEMENT PRIMARY SCHOOL, ALL WEATHER PITCH, SOFT & HARD PLAY AREAS & RESIDENTIAL DEVELOPMENT | GC 06 November 2000 |
| 03/1531 | ERECTION OF A REPLACEMENT PRIMARY SCHOOL, ALL WEATHER PITCH, SOFT AND HARD PLAY AREAS AND RESIDENTIAL DEVELOPMENT (PURSUANT TO 00/0768) | AC 25 May 2004 |
| 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 the partial discharge of condition 25 of planning permission 13/1279. That condition reads as follows:

No materials of any sort shall be imported onto the site until a 'delivery plan' has been submitted to and agreed in writing by the LPA. The delivery plan shall include details of:

- *The delivery route to the site;*
- *The frequency of deliveries in terms of vehicles per day and overall duration of the delivery programme;*
- *The times between which deliveries will be made on each day;*
The type of vehicles to be used;
- *Contingencies if the identified delivery route is unavailable or inappropriate.*

Deliveries to the site shall proceed fully in accordance with the agreed delivery plan.

Reason: *to ensure deliveries proceed in an acceptable way minimising the impact on the local highway network in the interests of residential amenity.*

- 5.2 The applicant has provided the Herbert road Delivery Plan (February 2017). This delivery plan addressed the filling of the application site in order to achieve the necessary raising of ground levels to address flood issues and to isolate contamination in the buried layers.
- 5.3 Material already stockpiled in Herbert Road will be moved by 3No. 25 tonne dump trucks making four trips per hour over a period of 10-15 days.
- 5.4 An additional 4,727 cubic metres of material will need to be brought onto the site. The applicant considers two main routes to the site. The first is via Caerleon Road and Turner Street and into Herbert Road.
- 5.5 For large indivisible loads or in the event that the Turner Street Route is unavailable then vehicles will access Herbert Road from Clarence Place into East Usk Road then passing along Tregare Street, into Corelli Street, then into Clayton Street and then into Turner Street and then along Herbert Road.
- 5.6 The proposed vehicles are 2No. 20 tonne lorries making 5 deliveries each per day for approximately 4 weeks (20 working days). The import of materials not already stockpiled in Herbert Road will take place after the movement of the materials already stockpiled has finished giving a total delivery window of 12 weeks (60 working days).
- 5.7 Deliveries will be between 08:00 and 17:30.
- 5.8 The applicant has confirmed that only large indivisible loads will be brought in via the East Usk Road. As such the expectation is that the overwhelming majority if not all deliveries will be via the Turner Street route.
- 5.9 The applicant has provided track testing for the delivery routes proposed and shown them to be viable routes for the proposed vehicles.
- 5.10 The Highways Section has no objection to the discharge of the application.
- 5.11 The submitted information is acceptable and can be discharged in part.

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 submitted information is acceptable and the condition is discharged in part.

8. DECISION

APPROVED.

NOTE TO APPLICANT

01 This decision relates to the following plans and documents:

- Delivery Plan, Herbert Road, Newport (February 2017)
- Email from Dylan Hammett (04.04.2017 14:42)
- Swept-Path Analysis of Several Construction Vehicles Travelling from Caerleon Road (B4596) to the site access, Herbert Road, Newport (March 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.
