

OFFICER REPORT – November committee

Application Number: 17/P/0914/FUL

Received Date: 7th December 2017

Proposal: Hybrid application comprising full planning application for 22 residential dwellings and associated access, public open space, landscaping and engineering works and outline planning application for A1 retail land use of the remainder of the site with all matters reserved apart from layout and access - amended scheme

Site Address: Land Off Newport Road Llantarnam Cwmbran Torfaen

Ward: Llantarnam

Applicant: Mr James Morgan **Agent:** N/A
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SITE HISTORY:

App Number	Proposal	Received Date	Decision Date
12/P/00288	Outline application for the development of land at Llantarnam for employment (B1), residential (C3), a neighbourhood centre (including A1 retail and D1 community uses), together with vehicular and pedestrian/cycle access including new highway junction on Newport Road, realignment of Malthouse Lane, re-grading of site to form new site levels and associated infrastructure works, parking, servicing, landscaping and public open space provision	20.06.2012	Approved 26.06.2015

BACKGROUND

A site visit by Planning Committee Members was carried out in June 2018. The minutes of that meeting are included elsewhere within this committee agenda.

The application has been advertised in the local press, site notices have been displayed adjacent to the application site and a number of neighbouring properties were notified.

The application site forms part of the wider Llantarnam Strategic Action Area which was allocated under Policy SAA3 of the Torfaen Local Development Plan in 2013. This policy states that the site seeks to deliver,

'450 dwellings, 8 hectares of employment and residential areas in South Llantarnam through the creation of a quality mixed use community with a new neighbourhood centre providing facilities for both the existing and future community'.

A draft Development Framework for the site was prepared and consulted upon in December 2011. Redrow submitted this draft Development Framework for consideration during the Local Development Plan (LDP) Examination in Public in 2013. The LDP was adopted in December 2018.

Outline planning consent for this strategic area was granted in 2015 (12/P/00288). The current application site formed part of that approval and was identified as Welsh Government Land within the application as at that time it was owned by the Welsh Government. The permission granted outline consent for a village centre at this central part of the development area to serve the overall development as well as the existing wider community. The scheme proposed retail units, other small commercial units, residential development, car parking and public amenity space on this land parcel. The approved outline scheme included a retail core with up to 25 residential units above.

The outline planning application was supported by an updated Development Framework. A key design principle of this document was to 'create a new village core through the formation of new community facilities within a neighbourhood centre that is centred on a new green to the north of Pentre Lane. The creation of a new focal green space was central to this approach. This document was not adopted as the Local Authority and Redrow failed to reach an agreement on the design approach for the Malthouse Lane North development parcel. It was agreed that adopting the Development Framework wasn't necessary to process the outline planning application and the outstanding issues could be covered by condition for a development brief for each area to be produced. However, both the Authority and Redrow were happy with the development objectives for the neighbourhood centre at that time.

A Design and Access Statement was submitted with and approved as part of the outline application. This document stated 'The neighbourhood centre forms the heart of the mixed use development scheme and provides connections to the existing residential properties located along Pentre Lane, Lansdowne Gardens and Cory Park. The design objectives set out in the approved DAS are:

- Create a heart for the new and existing communities
- To create a vibrant and attractive destination and hub for both the new and

existing communities through a mixture of retail, commercial and residential uses

- To provide public open space for the new and existing community
- To create pedestrian links between the new and existing development

This submission also stated, 'landscaping along the south and south west site boundaries will also act as a buffer between the existing and proposed built form'.

The approved parameter and open space plan for the outline consent indicate that a band of landscaping would be retained around the perimeter of the site. In addition, the illustrative masterplan showed the trees along the eastern and western boundaries of the site as being retained.

Redrow purchased the current application site from Welsh Government in order to gain access to their residential development which is currently under construction, now known as The Maltings and identified as The Cottage in the outline application.

Planning advice was given to Redrow at the pre-application stage. Redrow wished to build houses at ground level rather than above the shops and whilst this approach was agreed in principle they needed to submit a separate full application but still adhere to the design objectives. The following key issues were raised at that time regarding their draft proposals:

- A good direct pedestrian link through the site from Pentre Lane to the retail area should be provided, potentially a boulevard approach.
- Excessive removal of trees along Ty Coch Lane and Newport Road. The tree buffer to be retained.
- A larger village green was required to create a focal point

The application has been the subject of extensive discussions between Planning Officers, Internal Consultees and Redrow since the application was submitted in December 2017. Officers were concerned regarding the original application scheme submitted, raising the following key issues with the applicants:

- The area of public open space / village green was too small
- The pedestrian route through the site from Pentre Lane to the retail area should be a direct corridor / boulevard route
- Impact on hedge, tree buffer and trees

Following extensive discussions and negotiations between Officers and Redrow, a revised scheme has been submitted which attempts to address these concerns. The amended scheme proposes the following changes;

- A larger area of village green.
- An improved pedestrian route through the site.
- Retention of a greater level of vegetation, including a wooded buffer between Ty Coch Lane and the proposed residential curtilages which would be approximately 12.5 metres wide.

LOCATION & DESCRIPTION

The application relates to an area of land in Llantarnam, Cwmbran. The site measures 1.19 hectares and is largely scrub woodland, with an area which has been cleared in the past to house the original Redrow sales office and temporary parking. The eastern, western and southern boundaries of the site are edged by hedgerows with a tree band to the rear.

The site is triangular in shape and lies between Ty Coch Lane to the west, Newport Road to the east, Pentre Lane to the south and the access road to the current Redrow residential development known as The Maltings to the north.

The adjacent areas of Pentre Lane and Ty Coch Lane are residential with a semi-rural character. The Three Blackbirds Public House is situated across Ty Coch Lane from the application site's southern point.

The eastern boundary of Newport Road is bounded by a listed stone wall which encloses part of the Llantarnam Abbey Registered Park.

The site lies centrally between the two main residential land parcels approved as part of the outline consent for the Llantarnam Strategic Action Area. Redrow are currently developing The Maltings to the north-west and development proposals are currently being prepared by Enzo Homes for Malthouse Lane North to the east.

PROPOSED DEVELOPMENT

This is a hybrid application for part outline and part full planning permission and covers 2 phases of development. Full planning consent is sought for a residential development and outline planning consent is sought for a retail centre. The application site would be accessed via the existing access road off Newport Road to Redrow's The Maltings/The Cottage development site.

Full Application – Residential Development

The southern section of the site is proposed for residential development of 22 dwellings situated around a single spine road through the site. This is a mixture of 2 and 3 bedroom semi-detached and terraced properties.

The proposed dwellings would be located around a cul de sac which terminates in a shared surface / public realm area. The proposed development would include a level of parking in accordance with the Authority's Adopted parking standards ie one space per bedroom for 2 & 3 bedroom properties for 17 of the properties. It is proposed to reduce the level of parking to two spaces for 5 of the proposed dwellings closest to the shared surface / public realm area and village green in order to achieve a more attractive development in this key part of the site. The parking within the site would be accommodated in a mixture of parking courts and driveways.

An area of incidental public open space would be located between the houses and the access road to the north, in order to accommodate a pylon easement across the site. An area of open space/village green would also be located in the southern point of the site. The revised layout includes 4 corner properties of a bespoke design which would address the village green area. The scheme includes a footpath link from the southern open space to the proposed retail centre. A footpath would also link into the residential area off Pentre Lane and to the adjacent public house. Both areas of public open space would be landscaped.

The hedgerow would be substantially retained along the western boundary of the site, onto Ty Coch Lane. A long band of poplar trees (around 65 metres in length) would also be retained along part of this boundary with Ty Coch Lane. The revised scheme indicate that a wooded buffer would be retained between Ty Coch Lane and the residential new residential properties which would be around 12 metres deep. In terms of the eastern boundary with Newport Road, around 50 metres length of hedgerow would be retained along this part of the site and an additional 20 metres of hedgerow would be planted to extend this further.

A row of 6 dwellings would back onto the area which is proposed for the retail centre.

Outline Application – Retail Centre

The outline element of the application reserves all detailed matters, apart from access and layout, for future consideration. The scheme proposes 743 sq metres of retail

space with associated parking. The layout plan shows a row of properties along the southern boundary of this land parcel, with an area of car parking to the front, between the retail units and the access road to The Maltings.

PLANNING POLICY

Local Development Plan (2006-2021)

Torfaen County Borough Council's Local Development Plan was formally adopted in December 2013.

Llantarnam Strategic Action Area is allocated within the plan under Policy SA3. The Action Area seeks to deliver:

'450 dwellings, 8 hectares of employment and residential areas in South Llantarnam through the creation of a quality mixed use community with a new neighbourhood centre providing facilities for both the existing and future community'.

Policy S2: Sustainable Development - Provides for development proposals which demonstrate they have taken account of a set of principles including contributing to the regeneration of existing communities and their infrastructure, promotion of a sustainable transport hierarchy as well as efficient use of the land, conservation and enhancement of the natural and built environment, promotion of the economy and employment growth and finally are located within the Urban Boundary unless it is an acceptable development in the countryside.

Policy S3: Climate Change - Proposals shall seek to mitigate against the causes of further climate change.

Policy S4: Place Making/Good Design - Proposals should have full regard to the context of the local natural and built environment through promotion of local distinctiveness by sympathetic design, material selection and layout in addition to delivering a mix of uses and ensuring that location and layout integrates and contributes to local accessibility.

Policy S5: Housing - Makes provision for the development of 4,700 dwellings in Torfaen (Approx. 550 in North Torfaen, 1,875 in Pontypool and 2,275 in Cwmbran

Policy S6: Employment and Economy - Includes the provision to enhance town centre based employment and economic uses and to increase the tourism, leisure and retail

offer in Torfaen.

Policy S7: Conservation of the Natural and Historic Environment - The natural and historic environment of Torfaen will be conserved and enhanced.

Borough Wide General Policy 1: Development Proposals - Development Proposals will be considered favourably providing they comply with the criteria for amenity and design, natural and built environment, design and transport and provision for utilities, when applicable.

Policy H4: Affordable Housing - seeks to negotiate the on-site provision of affordable housing on sites of 3 or more dwellings or alternatively sites over 0.1ha to 10% in North Torfaen, 25% in Pontypool, 20% in Cwmbran West & North and 30 % in Cwmbran East & South in order to achieve the target of 1,132 affordable homes within the plan period.

Policy H5: provision for Recreation, Open Space, Leisure Facilities & Allotments - Makes the provision for recreation, open space, leisure facilities and allotments in conjunction with new residential development of 3 dwellings or more.

Policy T3: Walking and Cycling Routes - makes the provision for improvements to the cycle route network and to encourage inclusivity along the walking and cycling routes, where possible.

Policy CF3: Community Facilities - Proposals resulting in improvements to the quality and accessibility of the County Borough's community facilities including schools, Libraries, health centres, post offices, public halls, public houses and local shops will be favourably considered, subject to other relevant policies of the plan.

Planning Policy Wales, Edition 9, 2016

Planning Policy Wales sets out the context for planning in Wales and has a series of chapters that deal with particular subjects. Each of the subject chapters contains sections on how the subject should be treated in Development Plans and for Development Control purposes. As this report relates to an application for outline planning permission this section will outline the most significant considerations for Development Control purposes.

Chapter 4: Planning for Sustainability: This chapter promotes sustainable development, the goal of which is, to “enable all people throughout the world to satisfy their basic needs and enjoy a better quality of life without compromising the quality of life of future generations.”

Chapter 5: Conserving and Improving Natural Heritage and the Coast:

Paragraph 5.1.2 The Assembly Government's objectives for the conservation and improvement of the natural heritage are to:

- promote the conservation of landscape and biodiversity, in particular the conservation of native wildlife and habitats;
- ensure that action in Wales contributes to meeting international responsibilities and obligations for the natural environment;
- ensure that statutorily designated sites are properly protected and managed;
- safeguard protected species, and to
- promote the functions and benefits of soils, and in particular their function as a carbon store.

Paragraph 5.1.3 states that a key role of the planning system is to ensure that society's land requirements are met in ways which do not impose unnecessary constraints on development whilst ensuring that all reasonable steps are taken to safeguard or enhance the environment. However, conservation and development can often be fully integrated. With careful planning and design, not only can the potential for conflict be minimised, but new opportunities for sustainable development can also be created.

Paragraph 5.5.1 states that Biodiversity and landscape considerations must be taken into account in determining individual applications and contributing to the implementation of specific projects. The effect of a development proposal on the wildlife or landscape of any area can be a material consideration. In such instances and in the interests of achieving sustainable development it is important to balance conservation objectives with the wider economic needs of local businesses and communities. Where development does occur it is important to ensure that all reasonable steps are taken to safeguard or enhance the environmental quality of land. Paragraph 5.5.2 states that when considering any development proposal (including on land allocated for development in a Development Plan) local planning authorities should consider environmental impact, so as to avoid, wherever possible, adverse effects on the environment. Where other material considerations outweigh the potential adverse environmental effects, authorities should seek to minimise those effects and should, where possible, retain and, where practicable, enhance features of conservation importance.

Chapter 8: Transport: Paragraph 8.7.1 states that when determining a planning application for development that has transport implications, local planning authorities should take into account:

- the impacts of the proposed development on travel demand;
- the level and nature of public transport provision;
- accessibility by a range of different transport modes;
- the willingness of a developer to promote travel by public transport, walking or cycling, or to provide infrastructure or measures to manage traffic, to overcome transport objections to the proposed development (payment for such measures will not, however, justify granting planning permission for a development for which it would not otherwise be granted);
- the environmental impact of both transport infrastructure and the traffic generated (with a particular emphasis on minimising the causes of climate change associated with transport); and
- the effects on the safety and convenience of other users of the transport network.

Chapter 9: Housing:

Paragraph 9.3.1 states that new housing developments should be well integrated with and connected to the existing pattern of settlements. The expansion of towns and villages should avoid creating ribbon development, coalescence of settlements or a fragmented development pattern. Where housing development is on a significant scale, or where a new settlement or urban village is proposed, it should be integrated with existing or new industrial, commercial and retail development and with community facilities. Paragraph 9.3.4 states that in determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an area's character and amenity. Increases in density help to conserve land resources, and good design can overcome adverse effects, but where high densities are proposed the amenity of the scheme and surrounding property should be carefully considered. High quality design and landscaping standards are particularly important to enable high density developments to fit into existing residential areas.

TAN 4: Retail and Commercial Development

This sets out the Welsh Government's objectives for retail and commercial centres, including;

- *Promoting viable urban and rural retail and commercial centres, as the most sustainable locations to live, work, shop, socialise and conduct business.*
- *Sustaining and enhancing retail and commercial centres vibrancy, viability and attractiveness.*
- *Improving access to, and within, retail and commercial centres by all modes of transport, especially walking, cycling and public transport.*

Technical Advice Notes

Technical Advice Note 1: Joint Housing Land Availability Studies (June 2006): This TAN provides guidance on the preparation of Joint Housing Land Studies to enable the monitoring of the provision of market and affordable housing, provide an agreed statement of residential land availability for development planning and control purposes; and set out the need for action in situations where an insufficient supply is identified. This TAN places emphasis on the importance of maintaining a 5 year supply as it states that if JHLAS shows the land supply falling below the requirement, there may be need to give considerable weight to this matter when dealing with planning applications. It states that Local Planning Authorities must ensure that sufficient land is genuinely available to provide a 5 year supply of land for housing.

Technical Advice Note 2: Planning and Affordable Housing (June 2006): This TAN provides advice and guidance in relation to the provision of affordable housing. The guidance requires local planning authorities to:

- Include an affordable housing target in the development plan which is based on the housing need identified in the local housing market assessment.
- Indicate how the target will be achieved using identified policy approaches.
- Monitor the provision of affordable housing against the target (via the Local Development Plan Annual Monitoring Report) and where necessary take action to ensure that the target is met.

Technical Advice Note 5: Nature Conservation and Planning (September 2009): This Technical Advice Note provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation. This TAN brings together advice on sources of legislation relevant to various nature conservation topics which may be encountered by local planning authorities.

Technical Advice Note 11: Noise (October 1997): This TAN provides advice and guidance on technical issues in relation to noise and development. It states that Local Planning Authorities must ensure that noise generating developments does not cause an unacceptable degree of disturbance. It also states that Local Planning Authorities should consider whether proposals for new noise sensitive development would be incompatible with existing activities, taking into account the likely level of noise exposure at the time of the application and any increase that may reasonably be expected in the future. This TAN also gives detailed guidance on how to assess such issues.

Technical Advice Note 12: Design (2016):

This TAN defines good design and stresses the importance of good design. It states:

2.1 The design of our villages, towns, cities and the urban and rural landscape is important in articulating our nation and our culture. Design is important to our quality of life, and the quality of Wales' varied landscape and townscapes – helping to sustain a positive image for Wales.

2.2 The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales – from householder extensions to new mixed use communities.

2.3 To deliver this, all decision makers across Wales need to understand both the importance of good design and the ways in which it can be achieved.

2.5 Good design is not inevitable. It requires a collaborative, creative, inclusive, process of problem solving and innovation – embracing sustainability, architecture, place making, public realm, landscape, and infrastructure.

2.6 Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities.

6.16 The appearance and function of proposed development, its scale and its relationship to its surroundings are material considerations in determining planning applications and appeals. Developments that do not address the objectives of good design should not be accepted

TAN12 identifies the following design objectives in relation to the character of a development (p19):

- Sustaining or enhancing local character
- Promoting legible development
- Promoting a successful relationship between public and private space
- Promoting quality, choice and variety
- Promoting innovative design

Technical Advice Note 18: Transport (March 2007): This TAN provide advice and guidance on transport issues including the design and location of the development, parking requirements, walking and cycling, public transport, assessing impacts and managing implementation.

The **Well-Being of Future Generations Act (2015)** places a duty on local authorities to improve the social, economic, environmental and cultural wellbeing of Wales through the

promotion of sustainable developments. In the face of this the Welsh Government is promoting successful placemaking as the key to creating sustainable places. The draft Planning Policy Wales document identifies that planners should encourage good design in order to achieve successful place making. It is considered that planners can help shape good-quality places that are attractive, sociable and ultimately successful developments. E Wellbeing and Future Generations Act 2015 – improving the social, economic, environmental and coral wellbeing of Wales through a “sustainable development

CONSULTATION RESPONSES:

Councillor Dave Thomas,
Ward Member
Initial comments
January 2018

I firmly agree with our Torfaen Tree Officers report that the Llantarnam Public Consultation document 38063: on the plan it shows trees and hedgerow removed along Newport Road and Ty Coch Lane, which I also believe to be excessive and unnecessary and I agree that these provide a green screen and good wildlife habitat and I would not like to see this much green space taken away.

I firmly believe that there should be no removal of hedgerow/trees unless necessary because of their condition then they should be replaced by similar hedgerow/trees to keep the green look of Ty Coch Close and Newport Road.

I have also read that our Highways Officer also states 'I wanted to see a boulevard/footway link onto Pentre lane near the junction with Newport road with a footway across the frontage of Pentre lane, thereby narrowing the junction of Pentre lane with Newport Road to reduce vehicle speeds at that junction'. I don't agree that narrowing a road at a 90 degree T Junction is going to have any effect on speed at all.

Community Cllr Villars and I have both looked at Pentre Lane today. If we do need a footpath on the one side of Pentre Lane then why not take some of the Village Green space alongside Pentre Lane and utilise this rather than causing problems by narrowing a road which is used regularly by large commercial vehicles, again as has already been said by Torfaen's own waste

collection vehicles and farm vehicles. Narrowing the junction is simply going to cause more problems i.e., when commercial vehicles are attempting to come out of Pentre Lane and others turning into Pentre Lane at the same time thus causing tailbacks on Newport Road and Pentre Lane.

Councillor Thomas,
Ward Member
June 2018

To conclude, I do not wish to see Ty Coch Close be altered or suffer any further loss of land, trees or hedgerows within the Llantarnam Ward. Surely we have given up enough in this area?

My constituents there tell me in the new plans the tree line is going and that they will lose their privacy.

If this is the case then I completely reject these plans and ask that consideration is given by planning and Redow to allow these trees to remain so Ty Coch Lane keeps its character and most importantly the residents retain their privacy.

Community Council

In relation to item 6312 on Planning List 1210 (Development off Newport Road, Llantarnam) Members reiterated previous concerns about environmental matters such as the loss of trees & hedgerows. There was also concern about the narrowing of Pentre Lane where it meets the junction with Newport Road. The Ward Member indicated that he would also contact Torfaen County Borough Council direct to elaborate on these concerns.

Drainage Officer

I have checked the surface water proposals, all look to be in order, my estimation of the greenfield run-off using the IH124 method is 3.88L/s and the developer is proposing 4.1L/s which is near enough for me. Therefore no further comments at present.

Waste Manager

No reply received

Dwr Cymru/Welsh Water
Treharris

The development site is crossed by a 225mm public combined sewer, please see the attached marked sewer plan. This sewer has a protection zone that no operational development is to take place within. We request the applicant contacts us to discuss the protection zone of the sewer prior to commencing operational development.

We would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Condition - No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

WATER SUPPLY

Dwr Cymru Welsh Water has no objection to the proposed development. A water supply can be made available to serve this proposed development.

Highways And Transportation
Initial Comments
February 2018

I refer to your memo dated 13th December 2017, regarding the above planning application.

This plan does not indicate good pedestrian linkages

onto Pentre Lane or Ty Coch Lane. The intended routes are both through the centre of private drives. I would want to see segregated pedestrian routes.

The narrowing on Pentre Lane restricts the width. It is indicated as 4.8 metres but should be a minimum width of 5.5 metres.

The footway adjacent to the visitor spaces should also extend to the junction with the industrial estate.

Vehicles using plot 11 will find it difficult to reverse out due to the narrow private drive.

The outline application for the A1 retail development is acceptable from a highway standpoint however as it is a hybrid application you may want to see some amendment so I won't suggest any conditions for that part of the application until we are happy with the total layout.

I would ask that you defer a decision on this application so that the applicant has the opportunity to amend the plan.

Highways And Transportation
Further comments
August 2018

The plan now shows footway links to Ty Coch Lane, around the edge of the village green and onto Pentre Lane. The footpath linking into the site itself is adjacent to a private drive.

The private drive serves 4 dwellings and my normal requirement is that a maximum of 2 dwellings should be served off a private drive. However if you are satisfied that the layout of the drive and development achieves good design then I would be prepared to accept more than two dwellings off a private drive

The road width on Pentre Lane will now be 5.5 metres wide with a marginal strip alongside existing property which is acceptable

The footway adjacent to the visitor spaces has now extended to the junction with the industrial estate which is acceptable.

The outline application for the A1 retail development is acceptable from a highway standpoint

I would not oppose this application from a highway standpoint and I would ask that you attach the following conditions to any grant of approval

1. Visibility splays for the access with the link road shall be 2.4 x 45 metres in both directions from the centre line of the access. The industrial access shall be 2.4 x the distance to the junction to the left and 2.4 x 45 metres to the right.
2. Prior to beneficial occupation of the dwellings, parking provision in accordance with the Torfaen County Borough Council, CSS Wales Parking Standards 2014 must be provided within the site and be maintained in perpetuity for the sole use of motor vehicles.
3. Garages may only be counted as parking spaces if they have clear internal dimensions, as suggested by Manual for Streets, for a single garage of 6m x 3m and 6 m x 6m for a double garage. All properties with a garage must also have a 6m long driveway, which should be increased to 10.8 metres when accommodating 2 tandem parking spaces. Garages must remain for the sole use of motor vehicles and not be converted at a later date to residential use.

4. The total height of any wall/fence fronting the site must not exceed 1 metre in height above the existing carriageway level and must be maintained at this height in perpetuity.
5. Prior to occupation of the dwellings and vehicular use of the drives and garages, where each access crosses the footway a vehicular footway crossing must be provided to a highway specification.
6. The gradient of the drives must not exceed 1:8 and they must be hard surfaced in tarmacadam or concrete for a minimum distance of 1 metre from the back of footway.
7. No surface water from the site shall drain onto the highway or into highway drainage and no soakaway may be constructed within 5 metres of the adopted highway or within 5 metres of an existing or proposed structure, (above or below ground).

Highways And Transportation
Comments on revised
scheme
November 2018

Verbally confirms that, whilst he has some concerns that the proposed level of parking for some properties on site does not meet the Council's adopted standards, he is generally happy with the revised scheme proposed.

Housing Officer
Initial comments

I can confirm that I am happy with the proposed unit mix, the units will be 3 x socially rented (sold at 37% ACG) and 1 intermediate (sold at 50% OMV). The sizes of the property meet SPG.

Housing Officer comments
in respect of revised
scheme

Offers significant concerns that no affordable housing is proposed as the need for affordable housing need is significant in the south of the borough. Considers that omitting affordable housing will not create a balanced

community

Environmental Health
(noise/contam/housing)

EHO suggests conditions are attached to any consent granted to control noise disturbance to local residents from the retail centre as follows:

All external plant and machinery associated with the retail development shall be designed, sited and if necessary acoustically controlled, to ensure that the combined Rating level from such plant and machinery, is no higher than the residual L90 level as measured at the nearest residential receiver or equivalent unscreened distance. All noise assessment work to be undertaken and reported in line with BS4142 2014; Methods for rating and assessing industrial and commercial sound.

There shall be no deliveries to the retail area outside the hours of 07:00 to 22:00, Monday - Sunday.

Ecology Officer
Comments regarding original
scheme

Whilst there are no ecological grounds on which to object to this planning application I would like to express my disappointment with the proposal to remove so many trees from adjacent to Ty Coch Lane and Newport Road. However, I do recognise that mitigation is being offered in the form of additional planting and wildflower seeding outside of the red line boundary.

There are two other issues I would like to raise:

1. Japanese knotweed has been identified on site and as such a method statement for its removal must be submitted as a condition of approval.
2. I cannot see that a green space management plan has been submitted. It is important that all retained ecological features receive appropriate management to ensure their value is maintained. I am particularly keen to receive details regarding the management prescriptions for the area of wildflower grassland, tree planting and the

retained hedgerow all Ty Coch Land and Newport Road. I would prefer this plan to be submitted prior to approval but will accept a suitably worded condition at the very least.

Ecology Officer
Final comments regarding
revised scheme

I welcome the proposed amendments to the above development layout, I therefore have no objection to this application proceeding as detailed.

Forward Planning
(LDP/Policy)
Initial response
December 2017

Layout drawing Llan 14-04-02 does not fully reflect the pre app discussions. There is an improvement on the previous layout but the inclusion of private drives for plots 9, 10, 11 and 12 jars with the proposal for the village green adjacent to the Three Blackbirds PH and Nursing Home.

As a minimum the private drives for plots 9 and 10 should be removed as this is the main integration between the Public House, the residential development and Neighbourhood centre. The orientation of plots 9 and 10 could be changed to abut plots 7 and 8.

We also discussed the requirement for a link from Ty Coch Lane to the neighbourhood centre. This does not seem to be achieved. There should be a public footpath link between the Lane and the Neighbourhood Centre to the north of existing High Winds property. This would allow residents of the Maltings to access the Neighbourhood Centre on foot.

Further comments
April 2018

A significant 'focal green space' or village green was originally proposed as below:

9.2 of Draft Development Brief - "The 'Green' will be formal in character and contain a focal point, marker or piece of public art that will define its position and contribute to the legibility of the development. The focal green space will also contain seating and ornamental

planting and provide a meeting point for existing and new residents within the village”

What is now proposed is a significant deterioration from this vision and does not have the desired ‘place making’ elements

– It provides no central place being small, plain and unremarkable with a hammerhead turning area intruding into it. Details of how this area is to provide the original concept for this area is needed.

Plots 11 and 12 and the side of Plot 10 will be key visual aspects of the development. This area was intended to give this section of Llantarnam a village core and ‘centre’ which this proposal fails to do.

Further comments
8 August 2018

My original comments (relating to the pre-app enquiry) back in March 2017 included the following advice:

...The southern open space appears to remove all the trees and create a not very exciting or useable public open space. This should be a focal community point with surrounding buildings responding to and creating an impressive space in this location. A feature (public art was suggested at an early stage) to mark out this area as Llantarnam with this as a central feature and space would help...

...The shops do not appear to have much of a presence from the main through road. This area should be a village centre serving and accessible to the surrounding area. Access and views from Newport Road and Ty Coch Lane should be improved and emphasised.

...Boundary treatment to Newport Road and Pentre Lane important.

...Southern open space and treatment of areas around the shop carparks and entrance ‘green’ area needs to

be better detailed and considered to create a locally distinct site (Policy S4 applies).

The developing scheme does not appear much improved from these points and the principles detailed could inform reasons for refusal – in my opinion the southern open space on its own is very poor and fails in ‘place making’ and good design contrary to national guidance and LDP Policy SAA3 and S4.

Final comments
November 2018

Confirmed no objections.

Landscape Officer
Comments
August 2018

The application has been assessed against the following Adopted LDP policies and the comments entered below. These are made in response to the final submitted plans.

S2 *seeks to Conserve and enhance the natural and built environment. Para 5.2.6 states The County Borough’s natural and built environment is an important resource and new development should be located so that it does not compromise and where possible seeks to enhance the area’s countryside, open spaces, landscape character and biodiversity resources.*

When viewed from Newport Road, Pentre Lane and Ty Coch Lane the site is bounded by mature and semi mature trees which contribute to a semi- rural feel as you travel down Newport Road. The buildings at Croes y mwyalch are of historic character and evoke a rural character. The removal of any vegetation along any of these boundaries will significantly alter the character of the area. Removal of existing trees and hedgerows to southern part of site excessive within this scheme is considered excessive.

S3 Climate Change

Development proposals shall seek to mitigate the causes of further climate change and adapt to the current and future effects of climate change; and will be supported where they demonstrate consideration of the following hierarchy of criteria (where appropriate):

- i) Supporting climate responsive development through location, orientation, density, layout, built form, materials and landscaping;

and iv) Exploring opportunities to maintain habitat connectivity through the provision of green infrastructure in design;

5.3.3 Provision of landscaping should not only address visual effects but also should be designed into development schemes to take account of climatic factors by providing protection through shading and cooling. Also the design of developments can incorporate green infrastructure (open spaces, trees, hedgerows) which assists in maintaining and improving wildlife corridors through Torfaen.

This scheme will remove 1850 sqm net of existing green infrastructure from the development site as well as reduce the visual and physical screening of the development from Newport Road, Pentre Lane and Ty Coch Lane.

S4 Place Making / Good Design

Proposals for all new development must have full regard to the context of the local natural and built environment and its special features through: a) Promotion of local distinctiveness by sympathetic design, material selection and layout including public art;

*Policy Justification 5.4.1 The Council aims to create places that are **integrated with the existing social, cultural and historical context and communities of Torfaen**. Developments should complement and contribute to the role and function of settlements,*

*creating attractive and desirable places to live and work. Places should respect existing living patterns and local characteristics and contribute to creating more sustainable places to live for new and existing residents. **The promotion of good design, accessibility and the enhancement of natural heritage (natural, built and historic environment) and facilities will contribute to developments that encourage a sense of place and identity, whilst reflecting local distinctiveness.***

It is my opinion that this scheme does not integrate the new development with the existing social, cultural and historic context. The main access path to the neighbourhood centre through the new housing area will pass adjacent to private driveways and does not represent good design. The scheme does not reflect local distinctiveness and is not sensitive to the immediate and surrounding environment and as it stands would be of detriment to it. The public open space is too small to function as anything but a large verge and removal of all the existing trees in this area to create a formal landscaped space surrounded by a metal railing would be contrary to the semi natural, treed character of the area.

S7 Conservation of the Natural and Historic Environment

Development proposals should seek to ensure the conservation and enhancement of the Natural, Built & Historic Environment of Torfaen, in particular: a) Biodiversity resources;; d) Landscape setting; e) Character of the built environment;

5.7.10 New development will have a cumulative impact on the landscape character especially where urban areas are extended. Landscape and layout considerations to reduce visual impacts of new developments should inform development proposals.

The Llantarnam Ward is subject to the cumulative impact of several housing developments in close

proximity. The importance of retaining the tree line in this area is imperative in order to reduce the visual impact of these developments and to provide a break in the built form. The current scheme will remove much of the existing tree line, retaining only a managed hedgerow along the length of Newport Road and a portion of Ty Coch Lane.

5.7.4 Biodiversity networks serve an important function in supporting the long term sustainability of our core biodiversity resources such as SACs and SSSIs through connectivity and stepping stone habitats for the movement of wildlife through the County Borough and genetic exchange. Trees and hedgerows also form part of the biodiversity network. Proposals affecting such resources will be assessed against Policy BW1.

Built and Historic Environment

5.7.12 For the purposes of criterion (e), the character of the built environment includes local distinctiveness and setting of settlements and townscape character. The impacts of proposed development on this character will be assessed under Policy S4 and BW1.

BW1 General Policy - Development Proposals

All development proposals will be considered favorably providing they comply with the following criteria where they are applicable: - A Amenity and Design ii) The design and visual appearance of the proposal takes account of the local context in terms of siting, appearance, elevation treatment, materials and detailing; iv) The proposal includes a landscaping and planting scheme, which enhances the site and the wider context including green infrastructure and biodiversity networks and allows it to adapt to climate change;

The present scheme does not take account of the local context and no detailed planting scheme has been submitted with this proposal despite a request for this to be done.

Built Environment i) The proposal contributes to the preservation and enhancement of the historic built environment wherever possible (including heritage assets and their settings); ii) The proposal does not detrimentally affect the character of the immediate and surrounding built environment;

The site is bounded by Ty Coch Lane, an old parish road which predates the 1850 OS map. It is bounded on the development site by a hedge bank upon which a mixed native hedge still grows. This should be retained as part of the historic context of the site. The parking area to Plot 6 is far too close to the hedgerow and is likely to involve cutting into the hedge bank during construction which would lead to the degradation of the hedge over time.

*A Amenity and Design 6.1.2 This criterion will promote **good quality design** in new development, **which is also sensitive to the immediate and surrounding environment**. **New development** has the opportunity to reinforce the character of the area and where possible improve it and **should not be of detriment to it**. **Poor and insensitive design in new development can have a negative visual impact on the environment and can also affect neighbouring properties**.*

It is my opinion that this scheme is not sensitive to the immediate and surrounding environment and as it stands would be of detriment to it. See my comments under S4 Policy justification 5.4.1

6.1.6 In respect of B (iv) all development should, in the first instance, seek to avoid the loss of biodiversity resources and seek to contribute to its conservation and/or enhancement. However, depending on the overall value of the resource, if such loss is both acceptable and unavoidable then the loss should be mitigated and if this is not achievable then it should be

compensated for.

It is my opinion that the loss of tree cover on the 'development site' is unacceptable. At the developers own admission they are removing 2200m² of tree planting and only replanting 350m² within the development site. This means an overall loss of tree canopy 'on the application site' itself of 1850m². This will have a very significant impact on the character of the area which will change from semi-rural to suburban. Off-site mitigation is offered which may provide betterment in terms of area but the new planting will not provide the closed canopy and wildlife cover that the existing tree cover is providing for at least 15 years. No detailed mitigation proposals including density, numbers and species has been provided by the applicant despite this being requested so it is difficult to assess whether this mitigation is appropriate.

6.1.7 In respect of B (v) landscape features covered as part of this policy include trees, woodland, hedgerows, river corridors, ponds, wetlands, stone walls, species rich grassland, green lanes, peat bogs, heath land and common land, which are all important features of the biodiversity network. It is also important to maintain and enhance the biodiversity network including connectivity between important resources as part of the long term protection and enhancement of the natural 78 Torfaen LDP 2013: Borough Wide Policy Borough Wide Policy environment in Torfaen. Information and guidance in respect of locally important habitats and species is contained in the Local Biodiversity Action Plan (LBAP), which will be a material consideration in decision making.

C Built Environment 6.1.11 The historic built environment is an important resource in Torfaen and should be protected wherever possible. Development proposals in proximity to historic resources should ensure proposed design is compatible with the existing

*built environment and ensure that the new development can be sited and designed to enhance the immediate environment. Similarly the character of the non-historic built environment should be considered in new development proposals. Quite often new development offers the opportunity to enhance the immediate environment and **unsympathetic developments will not be looked on favourably where they are of detriment to the character of an area.***

SAA3 Llantarnam Strategic Action Area, Cwmbran Land is allocated at Llantarnam Strategic Action Area, Cwmbran for the construction of 450 dwellings, 8 hectares of employment land (Class B1), a neighbourhood centre and informal recreation provision aided by strategic highway infrastructure improvements. Policy Justification 7.4.1 A Development Framework will detail how the employment, neighbourhood centre and residential allocations will be brought forward in a holistic and comprehensive manner, **which respects its landscape setting in South Cwmbran.** 7.4.3 The site is subject to the following constraints, which will need to be addressed as part of the Development Framework: -

- Landscape impact of the built development;

The landscape character of Newport Road as you travel north towards Cwmbran is one of a historic stone wall to the right hand side and mature trees and hedgerows to the left. The tree planting on the development site is predominantly single aged and looks to have been part of a scheme of structure planting to screen any future development. Now the site has come forward for development the applicant proposes to fell the same trees that were originally designed as a ready-made visual screen from the main Newport Road. The present scheme does not respect this existing landscape setting and will remove much of the structure planting intended to screen development.

I would object to the current proposals for this site on

the basis that it is not compatible with LDP policies stated above.

Landscape Officer
Final Comments on revised
scheme November 2018

Verbally confirmed she welcomes the proposed amendments to the scheme and therefore does not object to the application.

Tree (Arboricultural) Officer

No objection to the proposed development but a method statement must be provided describing how the fences are to be constructed adjacent to the retained hedgerows and in the root protection zone of any retained trees.

Once the site has been finished who will be responsible for the maintenance of the hedges, residents, developer or is it to be passed to the Council?

Community Council
Comments on initial scheme

A Ward Member has Submitted the following comments.

"Local ward members are happy with the Green Landscape changes but still consider that there is no requirement for the narrowing of Pentre Lane.

Land within the development site should be used instead to provide the new footpaths".

REPRESENTATIONS RECEIVED

Six local residents have submitted comments in objection to the original scheme proposed, including comments from Llantarnam Village Residents' Association on the following basis:

- Residents in our area of Pentre Lane/Ty Coch Close, have endured a great deal of noise, dust and disruption to our quality of life with the Redrow development in the field to the rear of Pentre Lane and Ty Coch Lane. Hedges and trees have

- been cut down, including oaks, to make way for this development.
- Regard should be given to the residents of Ty Coch Close in relation to their close proximity to this proposed small development opposite their homes. The tree-line and hedging barrier alongside Ty Coch Close and properties should be retained to at least retain some of the rural aspect of where they live, using this tree-line as a barrier screen to the new bricks and mortar proposed.
 - The trees provide a natural buffer and screen to existing houses on Ty Coch Lane and safeguard against pollution from the busy Newport Road. The trees are mature and healthy, they are beech and ash and provide a good wildlife habitat. They are an integral part of the environment and character of the area.
 - The site that we are currently discussing (former WAG land) was designated for this community hub. A change of use to build houses on this land is a bonus for Redrow and a boost to their profit
 - As a community resource, new and existing residents will benefit from maintaining the current landscape far more than squeezing as many dwellings as possible onto the site.
 - Ty Coch Lane has already lost numerous trees and hedgerows, not only due to the Redrow
 - As part of the original application a statement was made that Ty Coch Lane would remain as a “Green Lane”. The proposed removal of the trees bordering Ty Coch Lane would change the character of the lane.
 - The area designated as “The Village Green” is far too small to be of any practicable value. More area should be allocated to improve the facility.
 - The proposed changes narrowing Pentre Lane at the junction with Newport Road would make the junction more dangerous and compromise the safety of pedestrians.
 - Since the original planning application was made the volume of cars using the road has increased substantially.
 - Ty Coch Lane request that the current yellow lines are repainted with a notice to say that they will be enforced and ‘keep clear’ markings be introduced in the cul de sac to enable it to be used as a turning circle
 - The “revised” plan does not allow the generous village green space opposite the Three Black Birds Pub that was included on the original plan against which outlining planning permission was granted. The green in its original size will enhance the area benefitting both new and existing properties. Indeed, the main open space has shifted to the North of this development and only benefits the cosmetics at the entrance to the new Maltings Redrow estate. The village green as originally planned would also give a sufficient buffer between the new development and Dan-y-Derwen.
 - Looking at the plans, the “Village Green” is nothing more than a very small grass

verge immediately in front of new homes. I believe the original plan included a “feature” in the village green. The feature appears to have been replaced with new houses.

- In respect of the road narrowing immediately outside of our property, it is appropriate for a risk assessment to be undertaken with regards to access to our property. This action would render access to our drive and coach house parking unsafe
- The junction between Newport Road and Pentre Lane is dangerous.
- The Three Black Birds Pub, Croes - y – Mwyalch Farm, parts of Dan-y-Derwen, the deer park wall and other properties close by, date back to the 18th Century. What assurances will be given that new properties will be built in a similar style so as not to conflict with the existing environment of the hamlet of Croes-y-Mwylach?
- What is the time frame especially for the retail units? Will they be built as I do not trust them to do so?

Further neighbour consultations were undertaken following the submission of the revised scheme. At the time of writing this report, comments had been received from one local resident and also a representative of the Llantarnam Residents Association. Any additional comments which are received before Committee will be verbally reported at Committee. The following comments were made:

- Objects to the removal of a line of trees to the front of their property as it will result in loss of privacy and increased noise disturbance from the main road.
- Loss of views.
- Their property is not indicated on the base plan for Ty Coch Lane.
- Pleased to see that the tree line has been kept and that there is a generous amount of greenery separating the residents in Ty Coch Close, from the development which should help maintain their privacy.
- Any alteration in the structure of Pentre Lane/Newport Road T junction will have to be carefully considered as it is dangerous. The volume of traffic using this junction is significant. Raises concerns regarding the proposed pedestrian access from the site onto Pentre Lane. Concerns that pedestrian visibility is often blocked by delivery lorries to the pub and also other large vehicles. There is also a "blind" garage exit from the corner house here in Pentre lane. Any pavement in this area, should come from within the development site, rather than some of the ground currently in Pentre Lane, as to narrow the lane in this section of Pentre Lane would prove dangerous to both pedestrians and drivers.

ASSESSMENT & CONCLUSION

This is a hybrid application which seeks full planning consent for 22 dwellings and outline consent for a retail centre. The site forms part of the wider Strategic Action Area (SAA3) as designated by the Torfaen Local Development Plan. The wider development area was

granted outline planning consent in 2015, which included for up to 1,800 sq metres retail floor space and 25 residential units above at the current application site. The main considerations of this current application are;

1. Whether the principle of development is acceptable.
2. Whether the proposal is acceptable in highway safety terms.
3. Whether the proposal is acceptable in terms of any Ecological impact.
4. Whether the scheme is acceptable in terms of landscape impact
5. Whether the design and layout of the proposals are acceptable.
6. Whether the proposal meets the requirements of the Authority's Developer Contributions SPG.

The Principle of Development

Policy SAA3 proposes a neighbourhood centre which is seen as integral to achieving a 'quality mixed use community' at the Strategic Area.

Outline consent has previously been granted for a neighbourhood centre with an element of residential properties at this site, albeit that the residential units approved would have been above the retail units. On this basis, the principle of the site being developed for retail with a separate residential development is considered acceptable in principle and in accordance with Policy SAA3 of the LDP. However, it is considered that in order to achieve the overall vision for the Strategic Area allocation, the scheme should reflect the original design objectives established at the LDP Inquiry and thereafter as set out in the outline planning consent.

Whilst it is accepted that the Development Framework for the site was never formally adopted, the vision put forward for this site within that document was the starting point for future applications. The Design and Access Statement and parameter plans submitted in support of the original 'outline' application for the wider development area carries this vision forward and is considered to be of significant weight in the determination of the current application as it is described as the *'heart of the development'* and *'will serve as a physical and functional link between the existing and new residents.'*

The original scheme submitted was considered to be a significant departure from the original vision and objectives set out in the LDP, development framework and the parameters and Design and Access statement which formed part of the outline planning permission.

However, following extensive discussions between Planning Officers, Internal Consultees and Redrow, a revised scheme has been submitted. The amended scheme proposes the following changes;

- A larger area of village green.
- An improved pedestrian route through the site.
- Retention of a greater level of vegetation, including a wooded buffer between Ty Coch Lane and the proposed residential curtilages which would be approximately 12.5 metres wide.

It is considered that the revised scheme meets the design requirements for the site in the following respects:

- A public open space / village green is proposed which is of a size and form which would secure it as an attractive landscape feature and amenity area for both the proposed development and the wider area.
- A pedestrian route is proposed which would provide an attractive pedestrian link through the site to the retail area from the existing residential areas to the south.
- The importance of the existing trees and hedgerows in order to safeguard the green semi-rural character of the area is recognised. A good wooded buffer would be retained between properties on Ty Coch Lane and the proposed dwellings, hedging and additional hedging would be provided along Newport Road and opportunities for additional tree planting

Landscaping/Ecology

The application site and surrounding area is green in character. The original scheme proposed to remove a substantial proportion of the green infrastructure for the site.

When considering the original scheme submitted, Officers were concerned that the removal of trees along the western boundary with Ty Coch would alter the character of this part of Ty Coch Lane. A Ward Member and local residents also expressed concerns in this respect, objecting against the proposed removal of the natural green screening between the proposed dwellings and existing properties in this vicinity. The current scheme offers a new approach in this respect, where a wooded buffer between Ty Coch Lane and the proposed residential curtilages, which would be approximately 12.5 metres wide, would be retained. This amendment is welcomed and it is considered that this addresses previous concerns in this respect.

The Authority's Landscape Architect notes the landscape character of Newport Road as you travel north towards Cwmbrian to be the historic stone wall to the right and the mature

trees and hedgerow to the left; she considers that the original scheme did 'not respect this existing landscape setting'. She confirms that the current proposal to maintain the hedge along this route, with additional hedgerow planting to extend this satisfies her concerns.

The application includes the landscaping of an area of public open space immediately to the north of the application site, which sits on the opposite side of the access road to The Cottage development. This would include the planting of a good level of native trees and wildflower grassland. This approach is welcomed as it would enhance this route and would respond to green character of the area.

A draft landscaping strategy for the site has been received which outlines the above proposals, but it is recommended that a full landscaping scheme is attached to any consent granted in order to agree the detail of these elements.

It is therefore considered that the proposed scheme would retain the green character of the area.

Layout/Design

The revised layout includes numerous qualities which add up to a good quality scheme which responds well to the constraints on site.

A key design element of the wider SAA3 LDP allocation, and in particular this village core, has always been the creation of a village green: the Development Framework identifies it as a key masterplan principle and the approved landscaping parameters for the outline consent propose a good sized village green. The amended scheme includes a good sized village green which would achieve an area of space which offers both quality and usefulness. The Authority's Landscape Architect confirms she is happy with the village green in the updated scheme. This village green would provide a focal area for the wider Strategic Development Area that was always envisaged.

Through the pre-application and application process, the applicant has been consistently advised that a clear direct pedestrian route should be created through the southern part of the site to the retail centre in the northern section. This would serve to knit the village core site into the existing residential areas to the south and the new development which forms part of the wider development scheme. The revised scheme offers an attractive route through the site, through the village green and an attractive shared surface / public realm area. The current scheme is therefore considered to be acceptable in this respect.

The scheme includes bespoke house designs which add to the quality of the environment, such as the introduction of corner properties which address the proposed village green in a positive manner. The scheme also reduces the visual impact of vehicles within the streetscene through the careful positioning of parking spaces, as well as the introduction of parking courts. This overall approach is welcomed, in order to give the site an individual character / sense of place.

Layout is a matter to be considered in respect of the outline retail element of the application. The layout of the proposed retail area submitted is considered to be acceptable in terms of the level of retail floor space, operational/service area and parking areas.

Highways

In terms of Highways requirements, the Authority's Highways Engineer confirms he is happy with the proposed highway arrangement, although he notes that the level of parking proposed does not meet the Authority's adopted parking standards. However, following extensive Officer discussions, it is considered that a reduction in the level of parking spaces for properties in the vicinity of the Village Green and public Realm / shared surface area allows an attractive scheme to be achieved which meets the Authority's design aspirations for this site. On this basis, it is considered that in this instance, there is an overriding justification to reduce the level of parking in part of the site in order to achieve a good standard of design.

A local resident has noted that Pentre Lane has experienced an increased level of traffic since the Redrow Maltings development commenced. Whilst this is outside the control of this application, improvements are proposed to the junction of Newport Road with Pentre Lane, narrowing the road width on Pentre Lane to 5.5 metres wide and creating a marginal strip alongside existing property. Some local residents have raised concerns about these proposed alterations, but the Highways Engineer confirms that this would actually improve highway safety at this junction. The residents of Dan-y-derwen support the proposed marginal strip as it would give additional protection from vehicles to the external wall of their property.

Access is a matter to be considered in respect of the outline retail element of the application. The Authority's Highways Engineer confirms he is satisfied with the proposals in this respect. The proposed retail units would back onto an area of housing. The units would be set away from the joint boundary, in order to reduce any disturbance from the units in the form of forklift trucks, air conditioning etc. The Authority's

Environmental Health Officer requests that if consent is granted a number of conditions are attached to safeguard against disturbance.

S106 Requirements

In terms of S106, due to the significant costs associated with achieving a quality scheme in order to meet the LDP requirements, the level of S106 contributions proposed for this application is significantly reduced. It is recognised that the provision of a significant wooded buffer, landscaping, an attractive route through the site and a good sized village green have all added to the overall development costs of the site and affected viability of the scheme. The applicants have offered to pay for the proposed highways works in the vicinity of the junction of Newport Road and Pentre Lane and the landscaping works on the area of land to the north of the application site. The highways works re estimated to cost around £65,000 and the landscaping works approximately £35,000. It is also envisaged that the S106 would secure a management plan for landscaping and the public realm. No financial contribution would be made to Affordable Housing. Officers consider that this is an important site on which to achieve a good standard of development as it will help knit the new residential development within the wider strategic area into the existing neighbourhood. The provision of facilities such as the shops, the route through the site and the village green would be beneficial to and serve the wider community as well as the proposed residential development itself. Therefore, in this instance, it is considered that a lower level of S106 contributions should be agreed.

Assessment & Recommendation

In conclusion, whilst there were strong concerns regarding the original scheme submitted, it is considered that the revised scheme which is now under consideration is a significant improvement. The proposals meet the design objectives of the site set out in the original framework (albeit that wasn't adopted because of the Malthouse Lane element) and the supporting information in the original outline. The 'village green' is a good size, the amount of proposed planting and the landscaping retained along the eastern and western boundaries of the site would preserve the green character of the area and the footpath link though the site would provide an attractive route from the south to the retail centre. The scheme achieves a good standard of design and would represent successful place making. Whilst it is regrettable that the level of S106 contributions proposed is significantly lower than would normally be required, on balance this is considered to be acceptable in order to achieve a high standard of development at this important site. It is therefore recommended the application be approved, subject to a S106 agreement.

RECOMMENDATION:

Upon completion of an Agreement under Section 106 of the Town and Country Planning Act concerning the matters referred to in the above report, the Head of Planning and Development be authorised to grant permissions subject to the following conditions or any amendments , additions or deletion of these conditions he may deem necessary

CONDITIONS

- 1 The proposed residential development shall begin not later than five years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990

- 2 In terms of the retail element of this application, details of the appearance, landscaping and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: The details are reserved for subsequent approval.

- 3 Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 4 The outline development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990

- 5 Unless otherwise specified by another condition of this Notice, the development shall be carried out in accordance with the following approved plans and documents:

XXXXXXXXXXXX

Reason: To ensure the development is carried out in accordance with the approved details. Any material alteration to the approved details may have an impact that has not been assessed.

- 6 Notwithstanding submitted information, prior to the commencement of development, a landscaping scheme for the site shall be submitted to and approved in writing by the local planning authority. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection during the course of development. This shall include full details of the proposed buffer between Ty Coch Lane and proposed residential curtilages and the parcel of land to the north of the application site. Thereafter, the approved details shall be implemented in the first planting and seeding season following completion of the residential development.

Reason: To safeguard landscaping and amenity interests.

- 7 If within a period of up to five years from the date of planting, any tree planted in accordance with any approved landscaping scheme (including the public realm) is removed, uprooted or destroyed or dies (or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective), another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

REASON: To safeguard long term amenity, landscape and ecological interests.

- 8 Prior to the commencement of development a detailed scheme for the village green and public realm/shared surface area shall be submitted to and approved in writing by the Local Planning Authority. This shall include a palette of materials, street furniture, directional signage, programme of works, public art and soft landscaping.

Reason: In the interests of place-making.

- 9 If no retail development has been commenced pursuant to the 'outline' permission by the completion of the residential development hereby approved, the 'outline' site shall be landscaped in accordance with an interim landscaping scheme which shall have been first submitted to and approved, in writing, by the Local Planning Authority.

Reason: In order to protect the visual amenity of the site.

- 10 Prior to the commencement of development, a method statement along with a programme for the treatment of cotoneaster and Japanese knotweed shall be submitted to and approved in writing by the local planning authority. Thereafter, the approved details shall be implemented.

Reason: In order to safeguard against the spread of invasive non-native species.

- 11 Prior to the commencement of development of the outline area of this application, a detailed design for the external public areas of this part of the site - to include materials, directional signage, pedestrian access, cycle racks and street furniture - shall be submitted to and approved, in writing, by the Local Planning Authority. Thereafter, development shall be undertaken in accordance with the approved details prior to the beneficial use of any building at the site.

Reason: In the interests of good design.

- 12 No dwelling shall be occupied until the access and parking to serve that property is constructed and made available for use in accordance with the approved details. Thereafter, the parking spaces shall remain available for that use in perpetuity.

Reason: In the interest of highway safety.

- 13 No retail unit shall operate until the access, parking and external operational areas for the retail centre are constructed and made available for use in accordance with the approved details. Thereafter, those facilities shall remain available for that use in perpetuity.

Reason: In the interest of highway safety.

- 14 No external lighting shall be installed in the retail area unless in accordance with details which shall be submitted to and approved in writing by the local planning authority.

Reason: In order to safeguard ecological interests and in the interest of visual amenity.

- 15 Notwithstanding submitted details, prior to the commencement of development of the residential development, a detailed Construction Environmental Management Plan for that part of the development, shall be submitted to and approved, in writing, by the LPA. This shall include, but not be limited to, the following matters:

Reason: In order to safeguard environmental interests and highway

- 16 Prior to the commencement of development of any part of the retail 'outline' site a detailed Construction Environmental Management Plan for that phase of the development, shall be submitted to and approved, in writing, by the LPA.

Reason: In order to safeguard environmental interests and highway

- 17 Notwithstanding submitted information, no development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing properties and ensure no pollution of or detriment to the environment.

- 18 Notwithstanding submitted details, prior to the commencement of the residential development, boundary treatments for those properties shall be submitted to and approved in writing by the local planning authority and also installed in accordance with the approved details.

Reason: In the interest of visual amenity.

- 19 Prior to the construction of the residential properties hereby approved, details of the materials to be used in the construction of the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

- 20 Notwithstanding the provisions of Schedule 2, Part 1, classes A, B, C, D, E, F and G 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 extensions, buildings or other alterations shall be erected or carried out other than those expressly authorised by the permission and shown on the approved plans.

Reason: To control future alterations in the interests of visual and residential amenity.

- 21 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, walls or other means of enclosure shall be erected within the curtilage of the dwelling other than those expressly authorised by the permission and shown on the approved plans or as approved through the conditions.

Reason: In the interests of visual amenity.

- 22 Prior to the commencement of development,

- 23 All external plant and machinery associated with the retail development shall be designed, sited and if necessary acoustically controlled, to ensure that the combined Rating level from such plant and machinery, is no higher than the residual L90 level as measured at the nearest residential receiver or equivalent unscreened distance. All noise assessment work to be undertaken and reported in line with BS4142 2014; Methods for rating and assessing industrial and commercial sound.

There shall be no deliveries to the retail area outside the hours of 07:00 to 22:00, Monday - Sunday.

INFORMATIVES:

- 1 Under Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning Wales Act 2015, the developer is required to give notice to the Local Planning Authority that the development is to be commenced. The Notice must be on a form as set out in Schedule 5A of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, as amended or in a form substantially to like effect.
- 2 Under Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning (Wales) Act 2015, the developer is required to display at or near the place where the development is being carried out, at all times when it is being carried out, a copy of any notice of the decision to grant it. The Notice must be in a form specified in Schedule 5B of The Town and Country Planning (Development

Management Procedure) (Wales) Order 2012 (as amended) or in a form substantially to like effect.

- 3 This permission is subject to an Agreement under Section 106 of the Town and Country Planning Act 1990, as amended.
- 4 Torfaen Local Development Plan covers Torfaen County Borough. The following policy/policies is/are relevant to the consideration of this application: S2, S3, S4, S5, S6, S7, BW1, H4, H5, T3, CF3

Appendices	None
Background Papers	Note: Members of the public are entitled, under the Local Government Act 1972, to inspect background papers to reports. The following is a list of the background papers used in the production of this report. Planning Application File: 17/P/0914/FUL

For a copy of the background papers or for further information about this report, please telephone: Richard Lewis, Head of Development Management (Tel. 01633 647628)