

Application Ref: NP/22/0520/S73

Case Officer Andrew Richards
Applicant Mr P Morgan
Agent Mr Rob Howell, RLH Architectural Ltd
Proposal Variation of condition No. 2 of NP/15/0194/FUL -
Amended plans
Site Location Land off Feidr Eglwys, Newport, Pembrokeshire, SA42
OPT
Grid Ref SN05943892
Date Valid 09-Sep-2022 **Target Date** 05-Jan-2022

This application is reported to the Development Management Committee as the officer recommendation of approval is contrary to the views of Newport Town Council.

Consultee Response

Newport Town Council: Refusal on the removal of the link path in the north west corner of the site

PCNPA Tree and Landscape Officer: Conditional consent

PCNPA Buildings Conservation Officer: No adverse comments raised

PCNPA Ecologist: No adverse comments raised, and the retention of ecological features is welcomed

Natural Resources Wales: No objection

PCC Drainage Engineers: No adverse comments raised

PCC Transportation and Environment: Support

Public Response

A site notice and neighbour notification letters were posted in accordance with requirements of the Town and County Planning (Development Management Procedure) (Wales) Order 2012.

Several letters have been received some of objection and some of support and the comments relate to the following:

- Highway safety
- Loss of the proposed second footpath
- The second route needs to be completely blocked off to prevent unauthorised access
- Support the removal of the second footpath
- The downpipes to the bat roost building are inadequate

The report below addresses the material considerations raised above.

Item 5 - Report on Planning Applications

Policies considered

Please note that these policies can be viewed on the Policies page Pembrokeshire Coast National Park website –

[Local Development Plan 2 - Pembrokeshire Coast National Park](#)

Future Wales - The National Plan 2040 (FW which was adopted on 24th February 2022)

LDP2 Policy 01 - National Park Purposes and Duty

LDP2 Policy 03 - Newport Local Centre

LDP2 Policy 08 - Special Qualities

LDP2 Policy 10 - Sites and Species of European Importance

LDP2 Policy 11 - Nationally Protected Sites and Species

LDP2 Policy 14 - Conservation of the Pembrokeshire Coast National Park

LDP2 Policy 23 - Borrow Pits

LDP2 Policy 30 - Amenity

LDP2 Policy 31 - Minimising Waste

LDP2 Policy 32 - Surface Water Drainage

LDP2 Policy 55 - Infrastructure Requirements

LDP2 Policy 59 - Sustainable Transport

LDP2 Policy 60 - Impacts of Traffic

PPW11

SPG02 - Landscape

SPG06 - Archaeology

SPG07 - Biodiversity

SPG10 - Conservation Areas (various)

SPG16 - Sustainable Design & Development

TAN 05 - Nature Conservation and Planning

TAN 06 - Planning for Sustainable Rural Communities

TAN 12 - Design

TAN 15 - Development and Flood Risk

TAN 18 - Transport

TAN 24 - The Historic Environment

Constraints

Contaminated Land

LDP Allocation

LDP Open Space

Biodiversity Issue

Historic Landscape

Ancient Monument - within 500m

Potential for surface water flooding

Pembrokeshire Coast National Park Authority

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Recreation Character Areas
Article_4_Directions
Affordable Housing Submarkets
Seascape Character Areas
Conservation Area Newport
Landscape Character Area

Officer's Appraisal

Background and History

The host site comprises a nearly finished residential estate which is located to the south east of Newport Local Centre. The site comprises a total of 35 residential units with 14 being affordable housing units. Access to the site is provided off Feidr Bentinck for the 21 open market dwellings and off Feidr Eglwys for the affordable housing units. The site also includes internal footpaths which link the development with Goat Street and Feidr Eglwys.

The recent planning history identified is:

NP/15/0194/FUL – Residential development of 35 dwellings (including 14 affordable units) incorporating open space & new access points of Feidr Eglwys and Feidr Bentinck – Approved 20.06.2016

NP/16/0585/NMA – Non-material amendment - revised wording to Condition No. 22 of NP/15/0194 – Approved 28.11.2016

NP/16/0634/DOC – Discharge of Conditions 3, 5, 6, 7, 10, 23 & 24 of NP/15/0194/FUL – Discharged 14.09.2017

NP/17/0702/S73 – Removal of condition no. 22 of NP/15/0194/FUL – Approved 03.05.2018

NP/18/0541/S73 – Variation of condition no. 2 of NP/15/0194/FUL to amend the design of Plot no's 10, 11 and 17 from 1-bed bungalows to 2-bed 1.5 storey dwellings – Withdrawn 22.01.2019

NP/18/0542/S73 – Variation of Condition no. 2 of NP/15/0194/FUL to amend the layout of the affordable housing unit no's 3 to 9 inclusive – Approved 23.01.2019
NP/19/0171/NMA - Non-material amendment to NP/15/0194/FUL – Approved 13.05.2019

NP/19/0257/S73 – Amend design of Plots 10, 11 & 17 within the market residential element from 1-bed bungalows to 2 bed 1.5 storey dwellings – Approved 02.09.2019
NP/20/0533/DOC - Discharge condition 17 of NP/19/0257/S73 – Discharged 08.12.2020

NP/21/0132/NMA – Non-material Amendment Re: NP/19/0257/S73 – Approved 29.03.2021

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NP/22/0247/FUL – Erection of a timber cabin for ancillary domestic use – Approved
15.06.2022

NP/23/0392/FUL – Erection of wooden fencing up to 1.2 m high to the rear northern boundary – Currently being considered

Current Proposal

The application seeks approval for variation of condition 2 attached to planning consent NP/15/0194/FUL to omit a footpath route on the northwest corner of the site, enhance another footpath route on the northeast corner of the site, minor works to an existing bat roost structure and also works to an existing footpath route on the south east corner of the site.

Key Issues

The application raises the following planning matters:-

- Principle of Development,
- Policy and Impact on National Park
- Impact on the Conservation Area
- Impact on Listed Buildings
- Siting and Sustainable Design
- Amenity and Privacy
- Access and Parking
- Landscaping
- Biodiversity
- Land Drainage

Principle of Development:

Officers consider that the main principle of the development site being used for residential accommodation has already been accepted under planning consent NP/15/0194/FUL and that a material start has been made on this consent in that the development is nearly fully completed.

Policy and Impact on National Park:

The site is located within Newport Local Centre as defined in the Local Development Plan 2 (LDP2) and a small part of the site is also located within Newport Conservation Area. The proposal for variations to the previous consent is considered to accord with the relevant policies in LDP2. The current proposal is also considered not to have an adverse impact on this area of the National Park and its special qualities.

Impact on the Conservation Area:

Whilst a small area of the site falls within Newport Conservation Area, the works proposed within this area are for the removal of the previous consented footpath route which was set to run from Feidr Thomos in a northwest direction alongside the existing water course and access Goat Street alongside the western side of the existing property known as Glan Nant.

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The proposed removal of this aspect and no other works being within the near vicinity of the Conservation Area is sufficient for officers to consider that there will be no adverse impact on the character, appearance and setting of the Newport Conservation Area from the current revised scheme. As such, no adverse comments are raised on this aspect.

Impact on Listed Buildings:

The site falls adjacent to St Mary's Church which is a Listed Building. Given the degree of separation and the level of existing mature landscaping located along the eastern boundary to St Mary's Church, officers consider that the proposed changes to the overall scheme will have no impact on the setting of the adjacent church and its associated grounds. As such, no adverse comments are raised on this aspect.

Siting and Sustainable Design:

Correspondence has been received which raises concerns that the associated downpipes to the bat roost building are inadequate and will lead to damp penetrating the building.

Officers consider that given that the building is already mostly built underground on three sides there will already be an element of pressure on the structure from water impregnation above and beyond the concern raised and the design of the structure should already be designed to account for this pressure. This would also not in itself form a significant reason for the current proposed amendments to not be supported by officers in this instance.

The siting and design works in general are also considered to be supported and offer sustainable design solutions when considered against the original planning consent in respect of the associated footpaths and bat roost building.

Amenity and Privacy:

The siting and orientation of the proposed works within the site is considered to be acceptable in terms of protecting the amenity and privacy of nearby residential dwellings.

Access and Parking:

Correspondence has been received which raises concerns on the proposed loss of a footpath from the site in the northwest corner of the site and also raise highway safety issues.

Officers consider that the proposal as represented within the current application whilst reducing the provision of two footpaths to one onto the adjacent Goat Street will not have a significant adverse impact on access from the development site to adjacent access routes given that there is already an alternative route within the northeast of the site. This alternative route together with the proposed works is now considered to offer a better footpath route to Goat Street with its multiuser surface, tactile surfaces at either end where it meets vehicle traffic along with the staggered barriers to prevent any footpath users from entering the adjacent carriageways without slowing their speed first.

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The other works to the southeastern footpath leading from Swn Y Nanat to Feidr Eglwys is also proposed to be amended to include a new kissing gate which is design to ensure all users again slow down before entering onto Feidr Eglwys carriageway.

Pembrokeshire County Council Transportation and Environment section indicates that the revised scheme is to PCC standards and will be more accessible for vulnerable users. The new gradient is 1:10, as agreed with the PCC Highway adoption officer.

As such, the concerns raised on the loss of the one footpath route within the northern part of the site along with highway safety concerns are now considered to have been addressed.

Landscaping:

The proposal includes limited amount of detail on retained trees, hedges on and immediately adjacent to the proposed development site. Officers consider that information is required to cover the proposed new works with Arboricultural works and therefore a condition will be added to any consent granted to secure a further survey of the site to cover the proposed work on the soft landscaping features, potential impact from current tree health issues and mitigation planting.

Biodiversity:

PPW11, TAN5 and LDP2 policy 11 requires biodiversity and landscape considerations to be taken into account in determining individual applications. The presence of a species protected under UK or European legislation is a material consideration when dealing with applications that are likely to result in disturbance or harm to the species or its habitat.

The ecologist has no adverse comments to make on this application and also indicates that the retention of ecological features within the development is welcomed.

Drainage:

Pembrokeshire County Council Drainage Engineers have indicated that based on the revised scheme currently being considered no adverse comments are raised in respect of land drainage.

Conclusion

Notwithstanding the comments made by Newport Town Council and following consideration of the policies contained within the statutory Development Plan (Future Wales and Local Development Plan 2), National Planning Policy in the form of Planning Policy Wales (Edition 11), and having regard to all material considerations it is considered that the development will be in keeping with the aims of the LDP2 and Future Wales in that the development is considered to provide a commercial use to the site within an area that is need of regeneration whilst sustaining the local character.

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As such, and subject to a schedule of suitable conditions to control the development, the development is considered to be acceptable and complies with the requirements of Future Wales and policies 1, 3, 8, 10, 11, 14, 23, 30, 31, 32, 55, 59 and 60 of the Local Development Plan 2.

In reaching a recommendation, regard has been given to the requirements of sections 3 and 5 of the Well Being of Future Generation (Wales) Act 2015. It is considered that this recommendation is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive, and resilient communities.

Recommendation

Approve subject to conditions

1. The development shall begin not later than five years from the date of this decision.
Reason: Required to be imposed pursuant to Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2. The development shall be carried out in accordance with the following approved plans and documents:
Drawing Reference: R461 – BP-01 E (Received 07.06.2023)
Drawing Reference: R461 – BP-03 A (Received 08.12.2022)
Drawing Reference: R461 – BH-01 D (Received 08.12.2022)
Supporting Information Report (Received
Ecological Justification Letter (Received 20.12.2022)
Reason: In order to be clear on the approved scheme of development in the interests of protecting visual amenity and the special qualities of the National Park. Policy: Local Development Plan 2 – Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 14 (Conservation of the Pembrokeshire Coast National Park) and 29 (Sustainable Design).
Reason: In order to be clear on the approved scheme of development in the interests of protecting visual amenity and the special qualities of the National Park. Policy: Local Development Plan 2 – Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 14 (Conservation of the Pembrokeshire Coast National Park) and 29 (Sustainable Design).

3. Upon completion of the works, the LPA will be provided with an updated BS5837:2012 survey of the site that also includes:
 - Assessment of the interaction of the new proposed bat house on the existing tree stock.
 - Assessment on the condition of the previously surveyed trees and hedges on site - Ash dieback may have had an impact on the trees identified as being retained as part of this current application and may require works for health and safety.
 - Any mitigation planting.
 - Any other relevant Arboricultural and landscape details following the amended works.Reason: To prevent detrimental impact to trees, hedges and other landscape

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features which contribute to the amenity, landscape & biodiversity of the site and surrounding area. Local Development Plan 2 – Policies: 1 (National Park Purposes and Duty), 8 (Special Qualities), 14 (Conservation and enhancement of the Pembrokeshire Coast National Park), 30 (Amenity), SPG 02- Landscape SPG 07 – Biodiversity, Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Technical Advice Note (TAN) 10: Tree Preservation Orders.

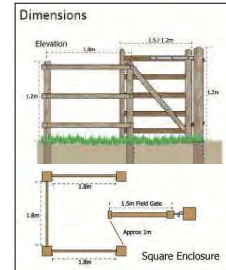
Informative

The crossing of the Highway verge/footway requires further consent from the Highway Authority under Section 184 of the Highways Act 1980, and working in the Highway must be done by an approved contractor. The attached letter produced by the Highways Authority includes the application form, contractors list and explanatory notes.

HOUSE TYPE SCHEDULE		
NO.	HOUSE TYPE	PLANNING PERMISSION / APPROVALS
01	A	04/140
02	B	04/121
03	B	04/125
04	B	04/125
05	A	04/140
06	B	04/125
07	A	04/140
08	B	04/121
09	D	02/81
10	F	01/57
11	F	01/57
12	B	04/121
13	B	04/121
14	C	03/101
15	C	03/101
16	C	03/101
17	F	01/57
18	E	03/80
19	C	03/101
20	B	04/140
21	B	04/140
01	G	02/83
02	G	02/83
03	H	01/51
04	H	01/51
05	H	01/51
06	H	01/60
07	G	02/72
08	G	02/83
09	G	02/83
10	J	03/94
11	H	01/51
12	H	01/51
13	H	01/53
14	J	03/94

KEY

- 1500mm x CLOSE BOARDED TIMBER FENCE
- RETAINING WALL + 1500mm H. CLOSE BOARDED TIMBER FENCE PROVIDE EXPANDED JOINTS & FIBREIF NECESSARY
- PAVING: 1000 x 200mm MIN. 40mm COARSE SLABS WITH 50mm SUB-BASE COURSE & 50mm SAND OR MOTTOSED ON COMPACTED HARDWARE
- GARDEN PATHING: 100mm THICK BRUSH LOGS OR 100mm HIGHER UNGRAVELLED HARDWARE INCLUDE BOLLARDS AT 1500MM HIGHER TO BE SET 100MM FROM WALLS, BRUSH LOG PATHING TO HAVE TROTTLED MARGINS.
- FIBRE ARM REINFORCY ANHER SET IN CONCRETE
- WATER BUTT
- WATER STORAGE AREA
- PIPE TREATED TIMBER SHED TO INCLUDE PITCHED ROOF, WINDOW & DOOR LOCATION ON ONE SIDE CONC. WHEELS WITH CYCLE LOCK ANCHORED INTO CONC. DOOR TO INCLUDE SECURITY LOCK, SEE DETAIL
- DEVELOPING PRINCIPAL ACCESS
- APPLICATION SITE
- PERMEABLE ROAD
- AFON YSGOLHEIGION
- EXISTING TREES
- PROPOSED TREES
- DE MOUNTABLE BOLLARD
- STREET LIGHTING TO ADAPTABLE STANDARD
- LOW LEVEL LIGHTING
- EXISTING HEDGETANKS
- PROPOSED LOW BUNK & PLANTING



Revision	Date
Rev A - Minor updates	18th Aug 2022
Rev B - Minor updates	23rd Aug 2022
Rev C - Updates following the visit	27th Sept 2022
Rev D - Updates to pedestrian footpath	1st Oct 2022
Rev E - Updates to Mobility Kissing Gate	23rd Nov 2022



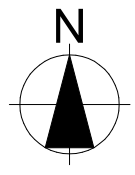
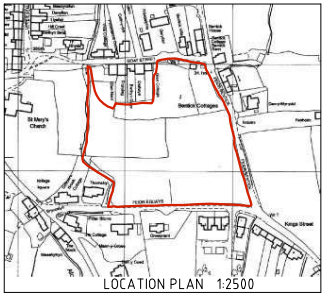
Client:
Morgan Construction Wales LTD

Job Title:
Land Off Feidr Eglwys, Newport, Pembrokeshire, SA42 0PT

Drawing Title:
Site Plan

Scale:
1:250 @ A1
Date:
Aug 22
Drawn by:
SE/RH

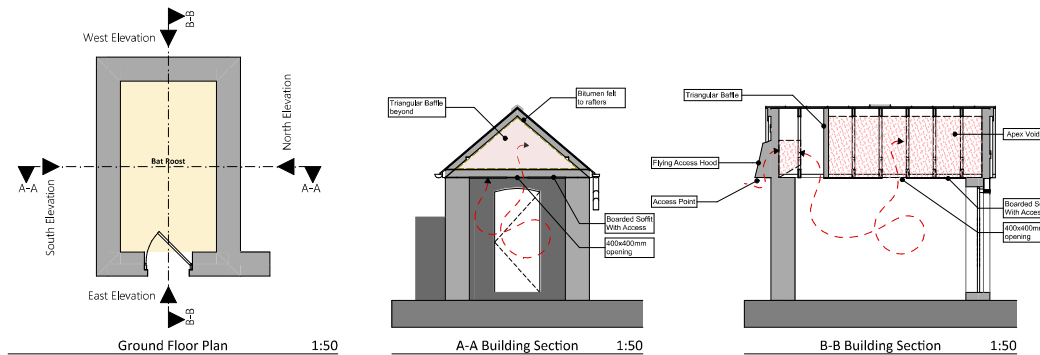
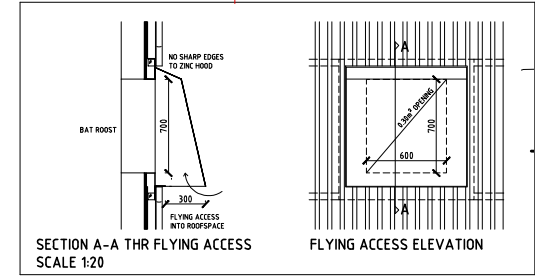
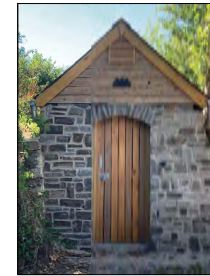
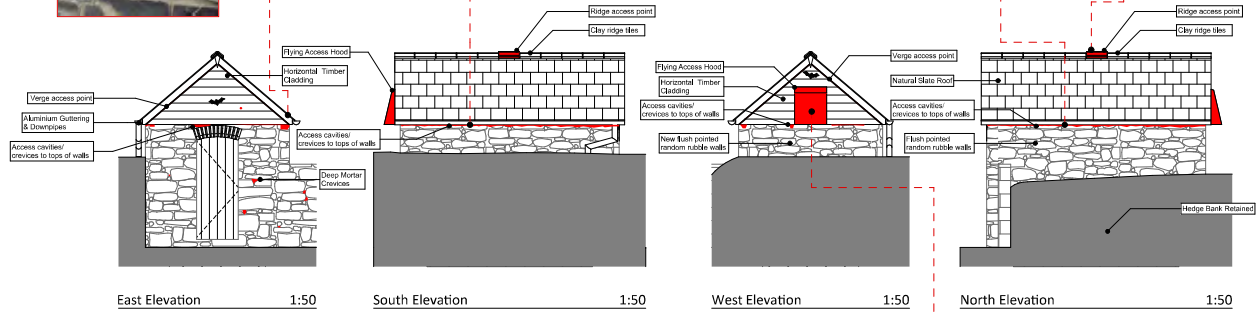
Page 75 of 100
UR461 - BP-01 E



Land Off Feidr Eglwys, Newport, Pembrokeshire



Newly constructed b house replacing dilapidated outbuild



Revision:	Date:	By:	Notes:
Rev A - Minor updates.	18th Aug 2022	SE	
Rev B - Minor updates.	23rd Aug 2022	SE	
Rev C - Site Plan Updates.	27th Sept 2022	SE	
Rev D - Site Plan Updates.	1st Dec 2022	SE	

RLH architectural

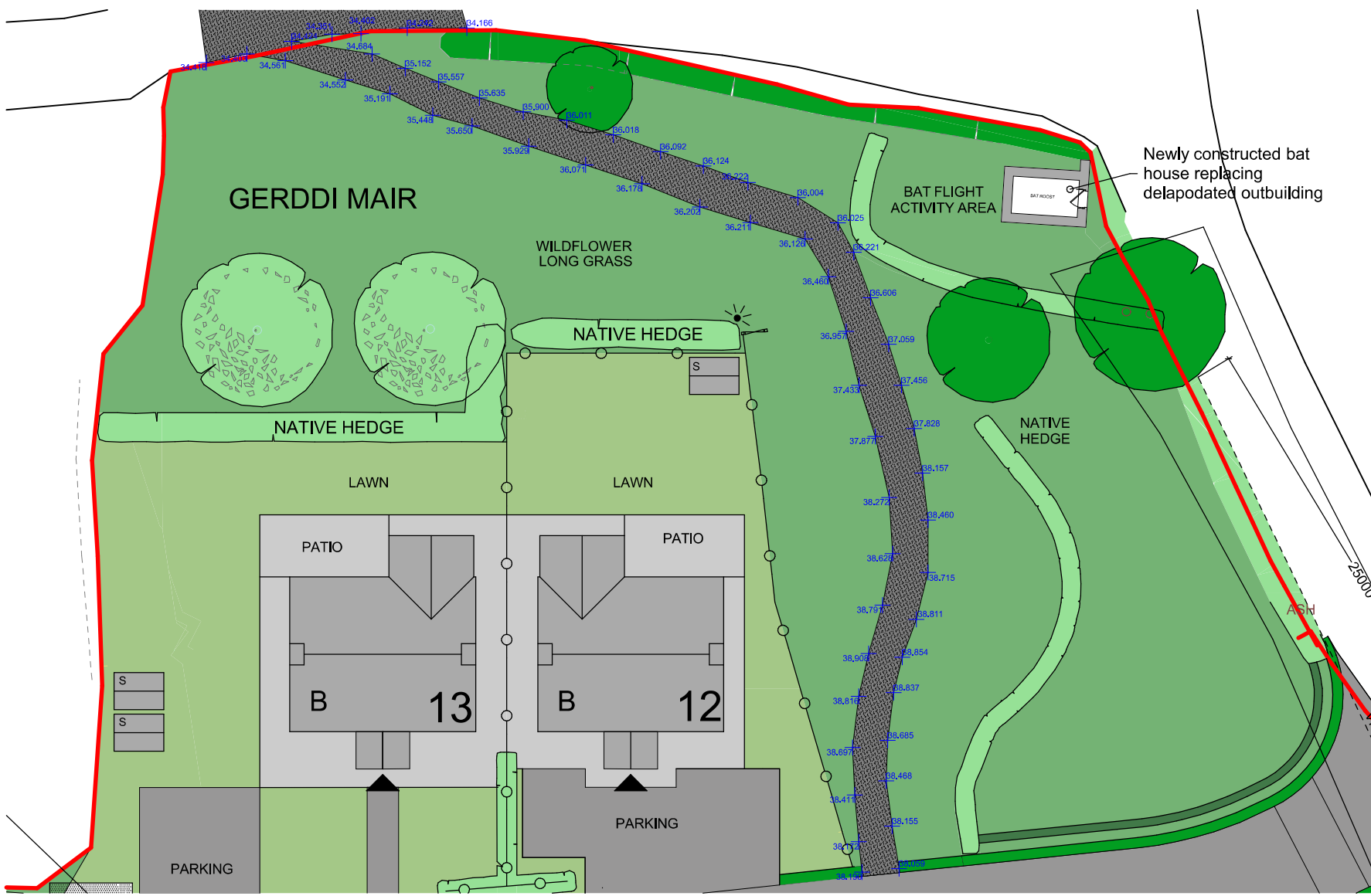
18 Main Street, Pembrokeshire, South Wales SA48 1AA
01323 626606
info@rlharchitectural.com
www.rlharchitectural.com

MORGAN CONSTRUCTION WALES LTD

Client: Morgan Construction Wales LTD
Date: Aug '22
Scale: Noted
Drawing Title: Bat House Replacement Outbuildings

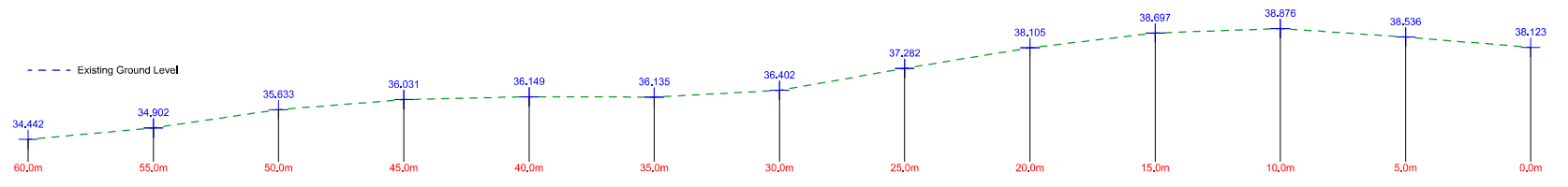
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R461 BH-01D



Existing Footpath Plan

1:200



Existing Path Section Levels

1:200

Notes:

Revision: A - Show Existing Levels to path
Date: 7 Dec '22

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MORGAN
 CONSTRUCTION WALES

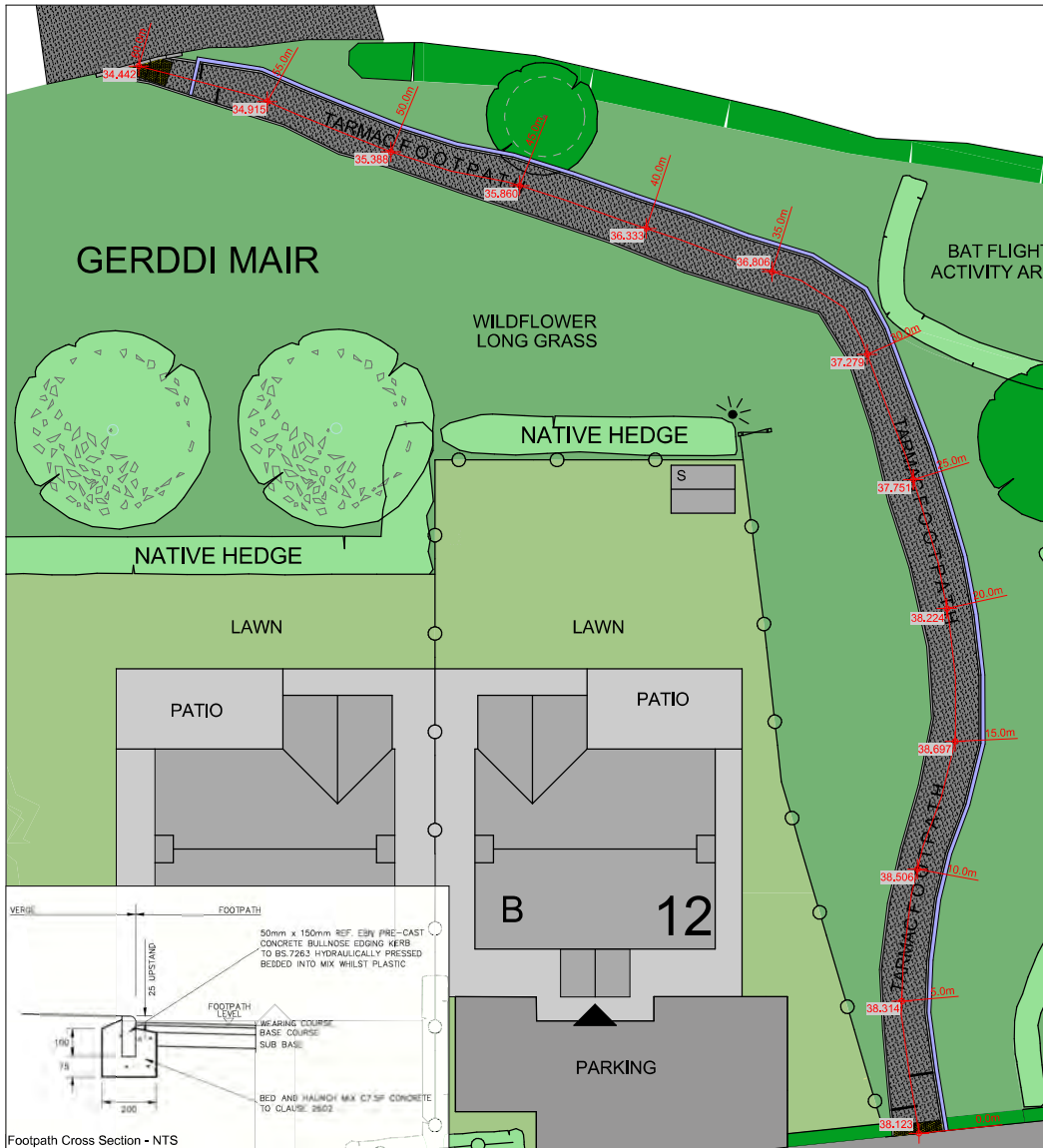
Client:
 Morgan Construction Wales LTD

Job Title:
 Land Off Feidr Eglwys, Newport,
 Pembrokeshire, SA42 0PT

Drawing Title:
 Existing Footpath Plan

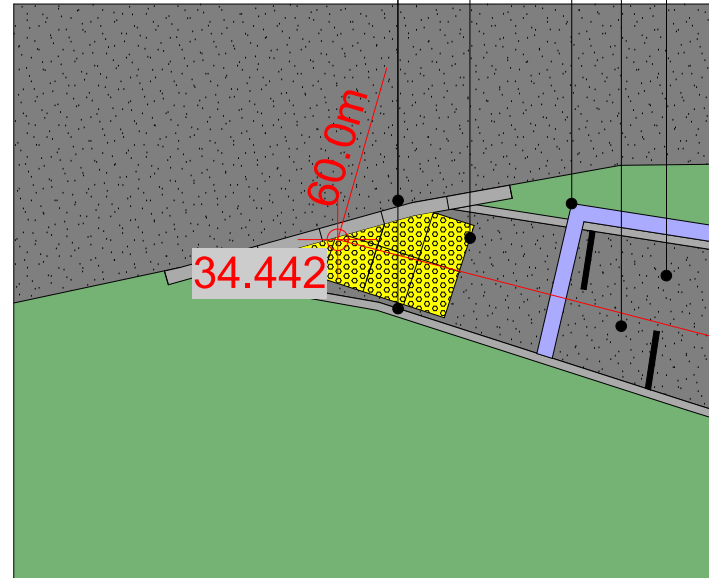
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Date: Aug 2022
Drawn by: SE/RH

R461 - BP-02 A



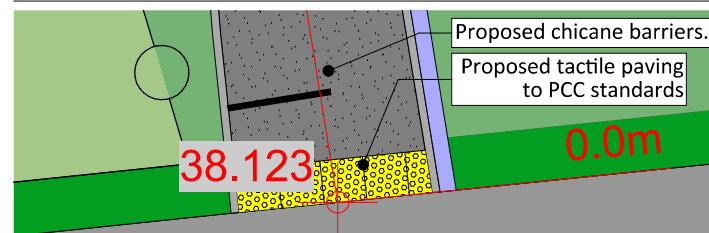
Proposed Footpath

1:200



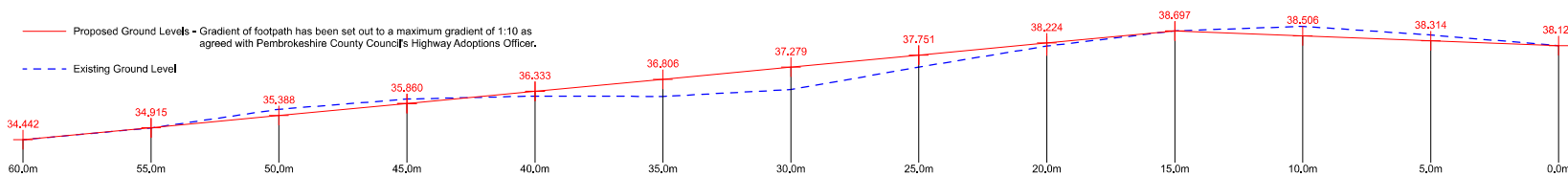
Proposed Footpath

1:50



Proposed Footpath

1:50



Proposed Path Section Levels

1:200

Proposed tarmac footpath.

Proposed chicane barriers.

Proposed slot drain with inspection unit either side.

Proposed tactile paving to PCC standards

Proposed kerb & drop kerb to PCC standards.

Notes:

The Agent has consulted with a Licensed Ecologist on the upgrading work to the path and all works will be carried out under the guidance of suitably qualified Dormice Ecologist.

Revision:

Date:

A - Amend Levels to path

7 Dec '22

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MORGAN
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Client:

Morgan Construction Wales LTD

Job Title:

Land Off Feidr Eglwys, Newport,
Pembrokeshire, SA42 0PT

Drawing Title:

Proposed Footpath Plan

Scale: Noted

Date: Aug 2022

Drawn by: SE/RH

R461 - BP-03 A