Application Ref: NP/15/0194/FUL

Case Officer Caroline Bowen
Applicant Mr J Roberts

Agent Mr I Johnston, Harries Design & Management

Proposal Residential development of 35 dwellings (including 14

affordable units) incorporating open space & new access points of Feidr Eglwys and Feidr Bentinck Land off Feidr Eglwys, Newport, Pembrokeshire

Site Location Land off

Grid Ref SN05943893

Date Valid 30-Mar-2015 Target Date 24-May-2015

Officer's Appraisal

Summary

Members will recollect that at the Development Management Committee meeting, held on the 20th September 2015, they were minded to refuse this planning application against the officer's recommendation.

In accordance with National Park Authority policy (updated at its meeting of 5th November 2014), a "cooling off" period was invoked, during which the matter can be considered further.

The main land use planning considerations for this proposal are referred to in last month's officer's report on this application. These considerations are not repeated in this report.

Summary of previous conclusion

The previous officers report concluded that following detailed consideration of the planning issues, and of the responses received from statutory consultees and the public, the proposed development —whilst greater in density than that provided in the housing allocation for the site — would provide new dwellings within the Centre Boundary of Newport, with the development still considered to be appropriate to the site and setting in terms of siting, design, access, landscaping and external appearance. The proposal would, therefore, be in accordance with national and local planning policy. That conclusion remains unchanged, but officers take the opportunity to further explain their conclusion below.

Previous Recommendation

The previous officers recommendation was that the application be delegated to the Chief Executive (National Park Officer)/Director of Park Direction and Planning/Head of Development Management to grant planning permission subject to conditions set out in the original report and subject to the interested person(s) first entering into a satisfactory Section 106 agreement in respect of the provision of affordable housing , and to planning obligations in respect of Education, Transportation, Open Space and Library & Community use. The

terms of the Section 106 agreement(s) – including necessary contributions in line with the CIL Regulations, as well as any phasing, is to be negotiated with the applicant prior to the grant of planning permission. That recommendation remains unchanged, notwithstanding comments made by members and Objectors since the previous committee meeting.

Correspondence received since September Committee

As reported to the Committee the Authority received a letter from Welsh Government (dated 30 September 2015) setting out the reasons why they would not be calling the application in for consideration by the Welsh Ministers. A copy of this letter for reference is attached as an appendix of this report.

The Authority has received revised comments from Welsh Water dated 7 October 2015. The letter (attached as an appendix to this report) raises no objections with the only change to the original consultation response relating to 'water supply'. A condition is recommended to require a scheme for the supply of portable water to the site given that the proposed development is in an area where there are water supply problems for which there are no planned improvements within their current capital investment programme AMP6 (years 2015 to 2020). Such a condition could reasonably be applied to a planning permission and it is suggested that this condition be added to those imposed in the schedule of conditions set out in the September Committee report.

On 28 October 2015 the Authority received a petition in support of the application. The petition includes 968 signatures in support of the development and states "We the undersigned support the planning application (NP.15.0194.FUL) to construct 14 affordable homes and 21 open market homes at Feidr Eglwys, Newport, Pembrokeshire. We call upon the Pembrokeshire Coast National Park to approve the planning application". In addition a letter has been received identifying support for the scheme from 15 local businesses in the area. The letter states "We collectively wish to publically offer our support to the planning application to create 14 affordable homes and 21 open market homes and Feidr Eglwys, Newport...As major employers in North Pembrokeshire the development would offer significant potential housing to our employees, safeguard the local primary school, doctor's surgery and the language and culture of the area... We respectfully ask members of the Pembrokeshire Coast National Parks Planning Committee to approve this application". Copies of the petition and letter are available to inspect on the Planning Application file.

Further Explanation as to Officers Conclusions

Members indicated at the last committee meeting that they were minded to refuse the application because it was contrary to policies 3, 8, 30 and 53 of the LDP – damaging the special qualities of the National Park and the town of Newport including traffic and amenity and contrary to the density given in the

LDP with an unacceptable variation in density on different parts of the site. Officers have considered these reasons for refusal and advise as follows:

Consideration of Local Development Plan policy on Housing

Since consideration of the application at committee, officers would clarify the policy position in respect of the adopted Local Development Plan.

- The application site falls within the Centre boundary of Newport, thus whilst the Plan should be read as a whole, Policy 3 sets out specific land use priorities for Newport. These include (a) the aim to meet the housing, and in particular, the affordable housing needs of the local area, and (e) to ensure that developments permitted contribute to the protection and enhancement of the town's special qualities.
- The Authority's strategy Policy 44 Housing advises of a requirement for a minimum density of 30 dwellings per hectare for housing development in Centres.
- The application site is subject of a housing allocation (HA825: North of Feidr Eglwys) which indicates a requirement of 20 dwellings.
- In relation to affordable housing requirements, Members will be aware of the policy requirement in Policy 45 but also the former concern and scrutiny that the policy was failing to deliver required outcomes. The result of this was the publication of the Supplementary Planning Guidance Affordable Housing which was adopted in November 2014. The SPG focused on seeking to allow negotiation over affordable housing where viability was an issue and also set out revised requirements for affordable housing throughout the National Park. In this instance the LDP requirement for Newport is 70% whereas the SPG, which is a relevant material consideration, is 40%. The application meets the threshold set out in the SPG.

In light of the concern expressed by Objectors that the proposed development presents a deviation from Local Development Plan policy, officers would advise that the proposed development has to be considered against the strategic requirements of Policy 3 and 44 as well as in light of the nominated allocation, in order to make the best use of the housing land which comes forward. From the original Inspector's Report for the Local Development Plan, he recommended 20 dwellings on an enlarged site, based on environmental constraints. This is a site density of 13.3 dwellings per hectare. However, when the allocation was being discussed during preparation and examination of the Local Development Plan, this was without the benefit of a detailed site layout. If, subsequently, through the detailed planning application process, a suitable scheme can be demonstrated, a decision should not be taken purely based on the original allocation. The planning application put forward includes a site density of 23.3 dwellings per hectare. This application has to be determined on its own merits, and has demonstrated that a greater density can be achieved, retaining the existing natural landscaping and without harm to the special qualities of the area. The application better accords with

strategic policy 44 which requires a minimum density of 30 dwellings per hectare. The proposal therefore accords with the Local Development Plan, read as whole, notwithstanding the exceedance of the allocation.

Consideration of the impact of the proposed development on the special qualities of the Park, and on amenity and on traffic

In respect of these concerns, officers have referred back to the relevant policies 8, 30 and 53. With reference to the special qualities of this particular location in the Park, officers would reiterate the advice of Cadw, detailed on page 23 of the original report, where it was noted that ... The proposed layout of the development is clearly influenced by the medieval street pattern of the town and incorporates the existing field boundaries into the design.' Furthermore, the application site falls within the registered Newport and Carningli Landscape of Special Historic Interest, and specifically Newport Historic Character Area. Within this, the medieval castle and church – located on higher ground to the south of the town, are key features. Cadw, in their consultation response, specifically addressed this, advising that ... The proposed development will remove one of the small pockets of fields between the built-up areas, but in Cadw's opinion this only constitutes a slight impact on the historic landscape character area and a very slight impact on the Registered Historic landscape as a whole.

In the Authority's Supplementary Planning Guidance on Landscape Character Assessment, the application site falls within Landscape Character Area 23 — Newport. This identifies a strong sense of history and the feel of a long-established settlement for the town. The management guidance recommends the conservation and enhancement of the coastal character of the town through sympathetic building siting, layout, form and materials for any new development and to ensure that future building changes respect the setting of the key extant buildings and historic sites. It also recommends the retention and enhancement, wherever possible, the woodland, trees and hedge bank vegetation which contributes strongly to the setting of the town.

Officers (including the Authority's Building Conservation Officer) had viewed the application site from the surrounding roads and the road leading to the golf course, and concluded that no part of the proposed development was considered to be out of keeping or context from the existing pattern of development, and that the development would not harm the special qualities of the townscape or the setting of St Mary's Church.

In respect of the concern on amenity and impacts of traffic, officers have reported the views of the Highway Authority, and of Welsh Government, both of which are the professional consultees in such matters, and in the absence of any evidence to directly counter their views, officers would advise that their advice accords with the requirements of Policy 53, and should be accepted.

With reference to amenity – which is defined in Policy 30 – the application site is not in an isolated setting, and regular activity occurs around the site, which can increase and decrease according to weekly patterns and seasonal patterns. Newport is considered to be a sustainable location, and therefore

offers suitable alternatives to the use of the private car, in accordance with Local Development Plan policy.

The consideration of the proposed layout for the affordable and market housing

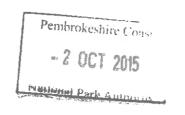
In respect of the concern expressed by Members that the affordable housing element of the site was concentrated on a small portion of the site, with the open market housing at a lower density, the affordable houses have been designed to the floor space requirements preferred by RSL's, and have been designed as a small mews, which would access onto Feidr Eglwys, and thus be read as part of that particular streetscape. The current pattern of development is a mix of terraced and individual dwellings in a variety of size plots - the effect in the wider street scene would be similar to that of Maes Morfa and Maes Ingli within the town which are more densely developed pockets within the more generous burgage plots. The choice to provide a single mews was also formed with deliverability in mind - the affordable housing can be brought forward independently of the open housing, as opposed to being dispersed throughout the site, which would be more difficult to bring forward. Officers consider that the affordable housing element relates to Feidr Eglwys in its own right, and would not appear an isolated element of the development.

Conclusion

Officers would reiterate the original conclusion - following detailed consideration of the planning issues, and of the responses received from statutory consultees and the public, the proposed development —whilst for a greater number of houses than that provided in the housing allocation for the site — would provide new dwellings within the Centre Boundary of Newport, with the development still considered to be appropriate to the site and setting in terms of density, siting, design, access, landscaping and external appearance. The proposal would, therefore, be in accordance with national and local planning policy.

Recommendation

The application be delegated to the Chief Executive (National Park Officer)/Director of Park Direction and Planning/Head of Development Management to grant planning permission subject to the conditions set out in the original officers report and subject to the interested person(s) first entering into a satisfactory Section 106 agreement in respect of the provision of affordable housing, and to planning obligations in respect of Education, Transportation, Open Space and Library & Community use. The terms of the Section 106 agreement(s) – including necessary contributions in line with the CIL Regulations, as well as any phasing, is to be negotiated with the applicant prior to the grant of planning permission.



Yr Adran Cyfoeth Naturiol Department for Natural Resources



Llywodraeth Cymru Welsh Government

Ms Jane Gibson
Head of Planning
Pembrokeshire Coast National Park Authority
Llanion Park
Pembroke Dock
Pembroke
Pembrokeshire SA72 6DX

Ein Cyf/Our ref: qA1228569 Eich Cyf/Your ref: NP/15/0194/FUL Dyddiad/Date: 30 September 2015

Dear Ms Gibson

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77 CALL IN REQUEST RESIDENTIAL DEVELOPMENT OF 35 DWELLINGS (INCLUDING 14 AFFORDABLE UNITS) INCORPORATING OPEN SPACE AND NEW ACCESS POINTS OFF FEIDR EGLWYS AND FEIDR BENTINCK AT LAND OFF FEIDR EGLWYS, NEWPORT, PEMBROKESHIRE APPLICATION NUMBER NP/15/0194/FUL.

- 1. I am writing to inform you that the Welsh Ministers have been asked to call in the application referred to in the heading to this letter for their own determination.
- 2. I am authorised, by the Minister for Natural Resources, to consider whether the application should be called in for determination by the Welsh Ministers.
- 3. The Welsh Government's policy on calling in planning applications is set out in Planning Policy Wales (Edition 7, July 2014). The Welsh Government considers that local planning authorities, as elected bodies, should be left to make decisions about development proposals wherever possible. The Welsh Ministers do not, in practice, call in many planning applications and will only do so where the proposal raises issues of more than local importance.
- 4. To assist me in the consideration of whether the application raises issues of more than local importance I consulted with colleagues and their responses is as follows:
 - Welsh Government Policy Branch with responsibility for Housing

"the above, the relevant housing issues raised by this planning application are as follows:



- This is an application for 35 dwellings (including 14 affordable homes) on a 1.5 hectare site within the settlement boundary of Newport under the Pembrokeshire Coast National Park Authority LDP. The site is allocated for housing (20 dwellings) in the Pembrokeshire Coast NPA LDP.
- According to the officer's report the LDP requires a minimum density of 30 dwellings per hectare for housing development in centres such as Newport.
 The officer's report also states that under the SPG on Affordable Housing, provision of 40% affordable housing is proposed for this site and the proposed 14 affordable homes meet this requirement.
- The officer's report also states that the National Park's housing land supply is only 2.7 years (for 2014) and that the proposal would help to address the local need for affordable housing which has been identified under the relevant Local Housing Market Assessment (LHMA). It is proposed that the affordable homes would be provided and managed by a Registered Social Landlord under a section 106 agreement.
- Under national policy, local planning authorities should make appropriate provision for affordable housing, based on the evidence provided in LHMAs. Local planning authorities should also make the most efficient use of land for housing and ensure that sufficient land is genuinely available to provide a 5year supply of land for housing. (*Planning Policy Wales*, paragraphs 9.1.2 and 9.2.3).

The Officer's Report assesses the above issues and recommends that the application be approved as it is considered that the proposal complies with housing policy in the Pembrokeshire Coast NPA LDP by providing an opportunity for the provision of new dwellings in Newport, including helping to meet the local need for affordable housing.

Based on the information available, the proposed development does not appear to be contrary to national policy on housing development and therefore **call-in is not recommended**."

- 5. Having considered the issues associated with the application in the light of the Welsh Government's policy on call-in and the advice provided by the consultee, I consider that those issues are not of more than local importance. In view of this, I do not consider that the application should be called in for determination by the Welsh Ministers and it is now for your Authority to determine the application as it sees fit.
- 6. In reaching my decision I did not consider the planning merits of the proposed development and my decision not to call in the application should not in any way be taken as a reflection on the planning merits of the proposal.
- 7. Your Authority has jurisdiction for deciding whether environmental impact assessment is required for this proposal and the Welsh Ministers have not considered the matter. Any screening opinion will need to be made available for public inspection.

8. It would assist us if a copy of any planning decision which your Council issues could be sent to my colleague, Nick Iles (E-mail <u>Nicholas.iles@Wales.gsi.gov</u>).

Yours sincerely

Lydia Haskey

Senior Planning Manager

Decisions Branch

Planning Directorate

Diane Grybowicz

From:

Caroline Bowen

Sent:

16 October 2015 14:07

To:

Diane Grybowicz

Subject:

FW: Land off Feidr Eglwys Newport 35 Dewllings your ref NP-15-0194-FUL our ref

PLA0011400

Attachments:

PLA0011400 ameneded response letter.pdf

From: Morris Martin [mailto:Martin.Morris2@dwrcymru.com]

Sent: 07 October 2015 10:13

To: Caroline Bowen

Subject: Land off Feidr Eglwys Newport 35 Dewllings your ref NP-15-0194-FUL our ref PLA0011400

Caroline,

I attached revised comments in respect of the above application. The changes relate to water supply.

Regards



Martin Morris

Development Control Officer | Developer Services | Dwr Cymru Welsh Water

Linea | Cardiff | CF3 0LT | T: 0800 917 2652 | www.dwrcymru.com

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Company Name - DŴR CYMRU CYFYNGEDIG. Registered Office: Pentwyn Road, Nelson, Treharris, Mid Glamorgan CF46 6LY Company No. 02366777

Mae Dŵr Cymru Welsh Water yn buddsoddi'n hael ac yn gweithio'n galed i sicrhau gwasanaethau o'r ansawdd uchaf i'w holl gymunedau. Mae'r cwmni'n buddsoddi £1.7 biliwn yn ei rwydwaith dwr a charthffosiaeth rhwng 2015 a 2020.

Mae'n 'gwmni nid-er-elw', sydd wedi bod ym mherchnogaeth Glas Cymru ers 2001. Nid oes gan Dŵr Cymru gyfranddalwyr, ac mae unrhyw wargedion ariannol yn cael eu hail-fuddsoddi yn y busnes er budd cwsmeriaid. Manylion pellach ar ein gwefan www.dwrcymru.com

Mae'r neges hon ac unrhyw ffeiliau atodedig at sylw'r bobl y cyfeiriwyd nhw atynt yn unig. Gallant gynnwys deunydd perchnogol, gwybodaeth gyfrinachol a/neu fod yn destun breintiau masnachol. Ni ddylid eu copïo, datgelu i neu ddefnyddio gan unrhyw barti arall. Os derbyniwyd trwy gamgymeriad, dilëwch y neges ac unrhyw atodiadau a hysbyswch yr anfonwr yn syth.

Enw'r cwmni - DŴR CYMRU CYFYNGEDIG. Swyddfa gofrestredig: Heol Pentwyn, Nelson, Treharris, Morgannwg Ganol CF46 6LY Rhif y cwmni 02366777





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Pembrokeshire Coast National Park

Llanion Park Pembroke Dock SA72 6DY Authorite Assessment

Date: 07/10/2015
Our Ref: PLA0011400
Your Ref: NP/15/0194/FUL

Dear Sir

Grid Ref: SN0593838927 205938 238927 Site: Land off Feidr Eglwys Newport

Development: Residential development of 35 dwellings

We write further to our letter of the 20/05/15 responding to your planning consultation relating to the above site. We have reviewed those comments and provide the following amended comments below having found it necessary to revise those in respect of water supply:

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.

SEWERAGE

Conditions

No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

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

Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

Advisory Notes

The Welsh Government have introduced new legislation that will make it mandatory for all developers



We welcome correspondence in Welsh and English Rydym yn croesawu gohebiaeth yn y Gymraeg neu yn Saesneg who wish to communicate with the public sewerage system to obtain an adoption agreement for their sewerage with Dwr Cymru Welsh Water (DCWW).

The Welsh Ministers Standards for the construction of sewerage apparatus and an agreement under Section 104 of the Water Industry Act (WIA) 1991 will need to be completed in advance of any authorisation to communicate with the public sewerage system under Section 106 WIA 1991 being granted by DCWW. Welsh Government introduced the Welsh Ministers Standards on the 1st October 2012 and we would welcome your support in informing applicants who wish to communicate with the public sewerage system to engage with us at the earliest opportunity.

Further information on the Welsh Ministers Standards can be found on the Welsh Government website - www.wales.gov.uk

Some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal we request the applicant contacts our Operations Contact Centre on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Developer Services on 0800 917 2652

SEWAGE TREATMENT

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

WATER SUPPLY

The proposed development is in an area where there are water supply problems for which there are no planned improvements within our current capital investment programme AMP6 (years 2015 to 2020). In order to establish what would be necessary to serve the development with an adequate water supply, it will be necessary for the developer to fund the undertaking of a hydraulic modelling assessment on the water supply network.

In light of this we recommend the imposition of the following condition:

No development shall commence until a scheme for the supply of potable water to the development has been submitted to and approved by the local planning authority. Thereafter the scheme shall be implemented prior to the occupation of any of the dwellings.

Reason: To ensure the development is served by an adequate supply of potable water to protect the health, safety and amenity of the residents of the development.



Our response is based on the information provided by your application. Should the proposal after during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

Please quote our reference number in all communications and correspondence.

Yours faithfully,



Martin Morris Development Control Officer Developer Services



