

Newport City Council
Local Development Plan

Council Response to Matters Arising

Hearing Session 6: Transport, Other Infrastructure,
Community Facilities



MATTERS ARISING

Hearing Session 6: Transport; Other Infrastructure; Community Facilities

Wednesday 9th April 2014

- 1) **Review and Amend policy wording of SP13 Planning Obligations to remove reference to CIL (explain how the policy will operate alongside CIL, if introduced, in the explanatory text). List infrastructure priorities in the policy and articulate how the policy will operate in terms of prioritising contributions in each case. Review the supporting text to ensure the detail of the policy is properly expressed in the Plan and not decanted to SPG.**

1.1 It is proposed to amend the policy and supporting text to:

SP13: PLANNING OBLIGATIONS

“DEVELOPMENT WILL BE REQUIRED TO HELP DELIVER MORE SUSTAINABLE COMMUNITIES BY PROVIDING, OR MAKING CONTRIBUTIONS TO, LOCAL AND REGIONAL INFRASTRUCTURE IN PROPORTION TO ITS SCALE AND THE SUSTAINABILITY OF ITS LOCATION.

THIS LIST IS NOT EXHAUSTIVE, BUT THE FOLLOWING ARE INFRASTRUCTURE PRIORITIES THAT DEVELOPMENTS WILL BE EXPECTED TO PROVIDE OR CONTRIBUTE TO IN ORDER TO MITIGATE ANY NEGATIVE CONSEQUENCES OF DEVELOPMENT:

- **EDUCATIONAL FACILITIES AND/OR THEIR UPGRADES;**
- **AFFORDABLE HOUSING;**
- **IMPROVEMENTS TO THE HIGHWAY NETWORK, INCLUDING WALKING AND CYCLING ROUTES AND PUBLIC TRANSPORT;**
- **OUTDOOR RECREATION;**
- **PROTECTION, ENHANCEMENT AND MANAGEMENT OF THE NATURAL, HISTORIC AND BUILT ENVIRONMENTS;**
- **COMMUNITY FACILITIES AND/OR THEIR UPGRADES; AND**
- **IMPROVEMENTS TO THE PUBLIC REALM.”**

Supporting text:

“In order to mitigate the impact of development, S106 planning obligations will be sought to enhance the quality of the development, provide community benefits and infrastructure facilities. The Planning Obligations SPG will provide the framework and requirements for planning obligations for new developments. The Council will negotiate planning obligations on a site-by-site basis where these are necessary to make the development acceptable in planning terms. Obligations will be directly related to the development and fairly and reasonably related in scale and kind to the development. As part of this process, the level of affordable housing provision will be set at a rate that

reflects individual site viability, based upon 'open book' appraisals and potentially independent third party analysis.

The Community Infrastructure Levy (CIL) system came into force in April 2010 and will potentially have implications on the range and nature of contributions sought through S106 planning obligations during the Plan period. Any such considerations would be accommodated through the preparation of Supplementary Planning Guidance. S106 planning obligations will continue to ensure that 'site specific' mitigation is sought to make a development acceptable in planning terms. Additionally, a separate CIL Regulation 123 List would identify infrastructure that addresses the 'broader' impacts of development. It is anticipated that a Pre-Draft Charging Schedule and Infrastructure Delivery Plan will be published in early autumn 2014, followed by adoption prior to April 2015.

Following the adoption of CIL, there will be two limitations on the use of planning obligations: Firstly, there will be no circumstances where a developer will pay CIL and S106 for the same infrastructure in relation to the same development; Secondly, pooled contributions will only be sought from up to five separate S106 obligations for an item of infrastructure which is not intended to be funded by CIL.

2) **Amend policy CF2 to clarify that contributions will be sought in line with policy SP13, and set out the basis on which the policy will be utilised e.g. in areas of deficit, threshold.**

2.1 It is proposed the policy is amended as follows:

"WHERE DEVELOPMENT RESULTS IN THE LOSS OF OPEN SPACE OR A REQUIREMENT FOR OPEN SPACE IS DEMONSTRATED IN CONJUNCTION WITH POLICY SP13, PROVISION IN ACCORDANCE WITH THE FIELDS IN TRUST STANDARD (OR AS AMENDED) WILL BE SOUGHT. THE DEVELOPER WILL BE REQUIRED TO PAY A COMMUTED SUM TO COVER FUTURE MAINTENANCE.

2.2 Support text Para. 9.14 will also be reworded:

The provision of open and play space is calculated on a site by site basis. If there is a deficit of open space or play space that serve the development, sites and/or contributions will then be requested from developers through a section 106 agreement, in accordance with Policy SP13. Wherever possible, provision should be made on site as an integral part of the development and in a location well related to the proposed residential properties. Where the site is too small to secure appropriate provision, or where a number of residential developments are proposed, consideration will be given to combining their open space provision to form a larger, more useable and more manageable area in the locality which will be of direct benefit to the proposed developments. Alternatively, where some or all of the provision needs to be made off site, a financial contribution may be appropriate to allow facilities to be improved in a suitable location nearby. In addition, commuted sums will be sought from developers where the maintenance of the open space is to be the responsibility of the Council.

Following the adoption of CIL, a CIL Regulation 123 List will set out infrastructure requirements needed to support growth in the City. Any specific open space infrastructure that is identified on the List will not be the subject of a S106 planning obligation.”

- 3) **Review/Amend policy CF13 to ensure operation of the policy is clear and referencing the spatial components to be applied for each proposal. Remove CF13 (vii) Percoed Lane from the Plan.**

- 3.1 The spatial component for each proposal will be reflected on the Proposals Plan. Duffryn High and Duffryn Juniors and Infants will be removed from the Plan as these schools are not necessary to support the growth from the housing sites allocated within the Plan. Site CF13 (vii) South of Percoed Lane will also be removed as the site is no longer expected to be delivered within the Plan period.

POLICY CF13: SCHOOL SITES

NEW OR ENLARGED SCHOOLS ARE REQUIRED **AT THE FOLLOWING SITES:**

- i) FORMER WHITEHEAD WORKS, CARDIFF ROAD
- ii) FORMER NOVELIS SITE, ROGERSTONE
- iii) GLAN LLYN, LLANWERN (2 PRIMARY SCHOOLS)
- iv) LLANWERN VILLAGE
- v) ~~DUFFFRYN HIGH~~
- vi) ~~DUFFFRYN JUNIORS AND INFANTS.~~
- vii) ~~SOUTH OF PERCOED LANE, DUFFFRYN~~

- 3.2 The supporting text will be replaced with the following:

“There is a need for additional and enhanced school facilities to meet future educational needs. Where specific needs have been identified by Education Services, land has been allocated and is shown on the Proposals Map. The Council will seek S106 obligations, generated as a result of the associated residential development, towards the provision of additional education facilities for the aforementioned sites. Negotiated contributions will be fairly and reasonably related in scale and kind to the proposed development. Where appropriate, on-site provision will be required. Detail regarding planning contributions is provided in Policy SP13 and will be further detailed in SPG.

The provision of two primary schools has been agreed as part of the Glan Llyn (former Llanwern Steelworks site) development. A further primary school has been agreed on the Llanwern Village element of the Eastern Expansion Area.

The former Novelis (Alcan) site at Rogerstone is identified as a site for predominantly residential development. A primary school will be provided on-site as part of this development.

On-site primary school provision will be required as part of the Whiteheads regeneration site”.

- 4) **Provide an update note for integrated transport and railway proposals to reflect the current evidence particularly in relation to the situation of local, regional and national transport plans. Include update on the situation as known for the Metro Project (funding, prioritisation and likely timescales).**

4.1 Unfortunately there is limited information available at present. The following is known to the Council:

- Metro Project: The Welsh Government has commissioned Arup to look at opportunities on the Great Western Relief Lines. The commission also includes a Grip 4 Study for Llanwern Station and a review of the Caerleon Station Grip 3 Report before a Grip 4 Study is undertaken.
- New M4 Complementary Measure: The North/South Link between Glan Llyn and Llanwern Village is essential in accessing Llanwern Station, giving access to the park-and-ride site to the south of the great Western Main and Relief Lines from the west of the City (Ringland etc) and in linking the eastern Distributor Road with the Southern Distributor Road.
- Arup is also looking at the Newport-to-Cardiff transport corridor, i.e. rapid bus and bus enhancement.
- The Regional Transport Plan is still live and will remain so until Welsh Government legally remove it. For the time being, only grant funding has stopped.
- The LDP is looking to protect the sites of future Rail Stations.

- 5) **Update policy SP16 to remove reference to the Eastern Expansion of the SDR (scheme completed) and Old Green Roundabout (scheme wholly within existing highway land). Provide evidence/rationale/justification for including Duffryn Link Road safeguarding corridor in policy SP16 and proposals map (or delete). Amend reference in para 2.52 to M4 Junction 28 to accurately reflect the current status and responsibility for delivery of this scheme and identify the safeguarded land envelope more clearly on the proposals map. Provide clearer spatial indication (so far as determined) for each of the safeguarded schemes in the updated SP16 policy.**

5.1 Policy SP16 will be amended to remove the Eastern Expansion of the SDR and Old Green Roundabout:

SP16 MAJOR ROAD SCHEMES

LAND WILL BE SAFEGUARDED FOR THE FOLLOWING STRATEGIC HIGHWAY SCHEMES:

- i) M4 MOTORWAY JUNCTION 28 TREDEGAR PARK INTERCHANGE IMPROVEMENT;
- ~~ii) EASTERN EXTENSION OF THE SOUTHERN DISTRIBUTOR ROAD ALONG QUEENSWAY THROUGH THE GLAN LLYN REGENERATION AND LLANWERN STEELWORKS SITES;~~

iii) ii) WESTERN EXTENSION OF THE SOUTHERN DISTRIBUTOR ROAD AS THE DUFFRYN LINK ROAD BETWEEN MAESGLAS AND COEDKERNEW;

~~iv) OLD GREEN JUNCTION REMODELLING;~~

v) iii) NORTH-SOUTH LINK – LLANWERN.

5.2 Paragraph 2.52 will be reworded to state:

“Juntion 28 (Tredegar Park). Much of the traffic originating in Rogerstone, Bassaleg and the western valleys of Gwent joins or crosses the M4 at Junction 28 (Tredegar Park). By the end of 2016, the Welsh Government will have completed a programme of improvements designed to ease congestion at this strategic junction. Policy GP5 provides guidance on the obligations on developers of schemes in the Gwent Levels”.

5.3 The area for Junction 28 improvements will be safeguarded on the Constraints Plan. The Council is liaising with Welsh Government to define the area that needs safeguarding.

5.4 It is proposed that the Duffryn Link Road will be shown on the Constraints Plan as a safeguarded corridor. The Duffryn Link Road is essential because it will relieve congestion on Junction 28 and, until such a time as the M4 relief road is built, will ease congestion on the M4 Motorway in general. It will give improved access to the Duffryn Employment Area, as well as Celtic Springs Business Park. It is also necessary to access the Welsh Government’s proposed Coedkernew Rail Station and strategic park-and-ride currently under consideration as part of “Metro”.

5.5 The Duffryn Link will serve a similar function in the west to the Queensway route in the east, providing relief for the M4, including Junction 28 (Tredegar Park), at times of peak congestion and for incident management. The road also serves the major employment areas of south-west Newport and the proposed railway station at Coedkernew, again providing opportunities for park and ride.

5.6 The North-South link in Llanwern is already shown on the Proposals Plan.

6) Update paragraph 2.41 of policy SP12 in line with proposed text in the Council’s submission.

6.1 Noted. Paragraph 2.41 will now read:

“Proposals for new facilities should be situated in sustainable locations, particularly those that attract a high number of visitors, such as community centres, leisure centres and theatres. Such facilities need to be accessible by a choice of transport modes and should be situated within or adjacent to the defined urban and village settlements or the community that the facility is serving.”

7) Update policy SP15 in line with proposed text in the Council’s submission. Remove reference to the Regional Transport Plan and provide updated reference to other relevant plans and proposals in the policy and in paragraph 2.50.

7.1 The policy will now read:

SP15 INTEGRATED TRANSPORT

INTEGRATED TRANSPORT WILL BE IMPLEMENTED IN LINE WITH NATIONAL AND REGIONAL TRANSPORT STRATEGIES. SUCH TRANSPORT WILL COMPRISE:

- i) A CO-ORDINATED PEDESTRIAN NETWORK, INCLUDING SCHEMES SUCH AS “SAFE ROUTES IN COMMUNITIES”;
- ii) IMPLEMENTATION OF THE CYCLING STRATEGY;
- iii) INNOVATIVE FORMS OF PUBLIC TRANSPORT SUCH AS BUS PRIORITY, SAFEGUARDING AND ENHANCEMENT OF RAIL ROUTES AND IDENTIFICATION OF NEW STATIONS;
- iv) DESIGNATION OF TRANSPORT INTERCHANGES FOR PARK AND RIDE, PARK AND SHARE, AND ROAD TO RAIL FREIGHT CENTRES;

v) A CENTRAL AREA PARKING STRATEGY

- vi) FACILITIES FOR PUBLIC TRANSPORT, WALKING AND CYCLING IN MAJOR NEW DEVELOPMENT;
- vii) INTERCHANGE BETWEEN BUS, BICYCLE AND CAR TO ENABLE SUSTAINABLE USE OF THE COUNTRYSIDE.

SIGNIFICANT DEVELOPMENT PROPOSALS SHALL BE ACCOMPANIED BY TRAVEL PLANS.

7.2 Paragraph 2.50 will be amended to read:

“Newport occupies a strategic location in the region and integration of transport needs to be considered not just in local terms but also in the wider context.”

8) **Recast policy T1 to reflect the Plan’s facilitating and safeguarding role in relation to new stations and associated park and ride provision (avoiding implied delivery by the LDP). Show on proposals map as safeguarded locations rather than Plan proposals.**

8.1 It is proposed to reword the policy T1:

T1 Railways

THE COUNCIL WILL SUPPORT THE FOLLOWING PROPOSALS FOR THE RAILWAY SYSTEM:

- i) ~~THE PROVISION OF~~ NEW STATIONS AT:
 - a. LLANWERN;
 - b. CAERLEON;
 - c. COEDKERNEW; AND
 - d. PYE CORNER, BASSALEG.

- ii) THE PROMOTION OF EARLY IMPLEMENTATION OF TRAIN SERVICES IN THE EBBW VALLEY LINE INTO NEWPORT;
- iii) THE PROMOTION OF EARLY IMPLEMENTATION OF ELECTRIFICATION OF THE LONDON-SOUTH WALES MAINLINE;
- iv) THE PROTECTION OF DISUSED LINES FROM DEVELOPMENT;
- v) PROTECTING AND ENCOURAGING RAIL ACCESS TO INDUSTRIAL DEVELOPMENT, ESPECIALLY ON THE LINES TO NEWPORT DOCKS AND USKMOUTH;
- vi) SUPPORTING APPLICATIONS FOR GOVERNMENT GRANT FOR NEW RAIL FACILITIES;
- vii) SUPPORTING AND PROGRESSING SCHEMES FOR PARK AND RIDE.”

These proposals will be implemented by Welsh Government or other third parties and have importance for many reasons, including sustainability and especially carbon reduction, economic development and regional cohesion.

The re-opening of the Western Valley line between Ebbw Vale and Newport is seen as an important strategic link for commuters to the City area. The current service runs from Ebbw Vale to Cardiff and has been hailed as successful, and it is therefore important to open up the route between Ebbw Vale and Newport to encourage sustainable travel to Newport the City from these valley areas. Along with this improvement will be the provision of a new station at Pye Corner (Bassaleg).

The need for stations at Coedkernew and Caerleon had been identified as far back as 1990 in the Gwent Rail Study produced for the former Gwent County Council. Newport City Council will continue to promote the provision of these stations as contributors to sustainable and integrated transport.

Stations at Llanwern and Coedkernew are located within major employment areas and will be served by strategic highway schemes (Queensway, the Duffryn Link and the North-South Link). The stations therefore provide the opportunity for sustainable access to the employment areas, and for park and ride developments to serve the City and elsewhere. The allocation at Coedkernew is likely to result in the Percoed Reen being crossed. Guidance on this issue is provided at paragraph 2.56.

Land for the proposed railway stations has been safeguarded following extensive studies, and the Council will consult the Welsh Government on any planning applications that might affect the safeguard sites. In addition to supporting the provision of the stations, the Council will safeguard the following on the Constraints Plan:

- Caerleon station [approximately half a hectare for car parking will be shown on the Constraints Plan – to be agreed with Welsh Government]
- Coedkernew station [approximately five hectares for a park-and-ride service will be shown on the Constraints Plan – to be agreed with Welsh Government]
- Llanwern station [approximately five hectares for a park-and-ride service will be shown on the Constraints Plan – to be agreed with Welsh Government]

9) Update Policy T4 in line with proposed text in the Council's submission.

9.1 Noted. Policy T4 will read:

"DEVELOPMENT WILL BE REQUIRED TO PROVIDE APPROPRIATE LEVELS OF PARKING, WITHIN DEFINED PARKING ZONES, IN ACCORDANCE WITH ADOPTED PARKING STANDARDS."

10) Update Proposals Plan to include All Wales Coastal Path, Policy T8.

10.1 The All Wales Coastal Path will be included on the Proposals Plan.

11) Update Criterion ii) of Policy CF1 in line with proposed text in the Council's submission.

11.1 Noted. Policy CF1 and supporting text will read:

THE REDEVELOPMENT FOR OTHER PURPOSES OF PLAYING FIELDS, OTHER LAND AND BUILDINGS USED FOR SPORT, RECREATION, AREAS OF PLAY AND COMMUNITY USES, WILL ONLY BE PERMITTED WHERE:

i) ALTERNATIVE PROVISION OF THE SAME BENEFIT IS MADE AVAILABLE IN THE IMMEDIATE LOCALITY; OR

ii) THE LAND OR BUILDING(S) IS SURPLUS TO REQUIREMENTS.

To meet criterion ii) developers will be required to evidence that the land or building(s) is surplus to requirements. This can be done by utilising the Council's Assessment of Outdoor Play Space and site specific assessment of need."