Matters Arising Changes
Representations

August 2014
Register of Representations made to the Matters Arising Changes to the Submitted Local Development Plan

August 2014
1. **INTRODUCTION**

1.1 The Council has consulted on a number of proposed changes that have arisen as a result of Matters Arising to date during Hearing Sessions 1-19 of the Examination into the Local Development Plan. The changes were made to the submitted version of the Local Development Plan (December 2013). The changes also include a number of Minor Changes that were made following consultation on the Revised Deposit LDP (June 2013) and reported to Full Council during December 2013 and formed part of the submitted Plan.

1.2 The consultation process on the Matters Arising resulted in 155 responses from 60 representors.

1.3 The complete representations are available to view below. Where supporting information has been submitted as part of the representation then there is a red box at the start of the representation inside which is the text 'Additional material submitted'. In order to view this additional material please click on the red box and the additional information will open in a new webpage.

1.4 If you require any further details on the information available then please do not hesitate to contact the Planning Policy Team on 01633 656656 or email ldp.consultation@newport.gov.uk

1.5 The representations within this document have been collected as a result of public consultation. The comments and views expressed within the representations are those of individuals and organisations and not those of Newport City Council.
### 42.Z1//MAC 2.6

**Graig Community Council**

**Document:** Schedule of MACs  
**Policy:** MAC 2.6  
**Summary:** Objection to deletion of the Green Belt extension MAC 2.6

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>1 1</td>
<td>MAC reference</td>
<td>2.6</td>
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<tr>
<td>2 2</td>
<td>Full representation</td>
<td>MAC 2.6 My Council objects to the proposed deletion of the northern extension of the green belt to the M4. The green belt serves a useful purpose in preventing the coalescence of Newport and Cardiff, and feel it's extension should be allowed.</td>
</tr>
<tr>
<td>3 3</td>
<td>Speaking at hearing session</td>
<td>No</td>
</tr>
</tbody>
</table>

**Agent:** Graig Community Council  
**Accession No:** 10/07/2014  
**Date Lodged:** 10/07/2014  
**Late?:** E  
**Source:** O  
**Type:** M

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### 42.Z2//MAC 2.8

**Graig Community Council**

**Document:** Schedule of MACs  
**Policy:** MAC 2.8  
**Summary:** Supports SLA at West of Rhiwderin but objects to the deletion of Tredegar Park SLA MAC 2.8

<table>
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<th>Item</th>
<th>Question</th>
<th>Representation Text</th>
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<tbody>
<tr>
<td>1 1</td>
<td>MAC reference</td>
<td>2.8</td>
</tr>
<tr>
<td>2 2</td>
<td>Full representation</td>
<td>MAC 2.8 My Council supports the proposal for the special landscape area &quot;West of Rhiwderin&quot; (no map available), and feels that this special landscape area should include all land which runs westward from the A467 to the end of Newport's boundary. They also object to the deletion of the special landscape area for Tredegar Park.</td>
</tr>
<tr>
<td>3 3</td>
<td>Speaking at hearing session</td>
<td>No</td>
</tr>
</tbody>
</table>

**Agent:** Graig Community Council  
**Accession No:** 10/07/2014  
**Date Lodged:** 10/07/2014  
**Late?:** E  
**Source:** C  
**Type:** M
### Matters Arising Changes Representations

**Document: Schedule of MACs**  
**Policy: MAC 7.1**  
Summary: Supports the re-opening of the rail link from Ebbw Vale to Newport MAC 7.1

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<th>Item</th>
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<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>MAC reference</td>
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<tr>
<td>2</td>
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<td>Full representation</td>
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</tbody>
</table>
  MAC 7.7 Council supports the re-opening of the rail link from Ebbw Vale to Newport as an important link for commuters to the Newport City area.
| 3    | 3        | Speaking at hearing session | No |

**Document: Schedule of MACs**  
**Policy: MAC 15.15**  
Summary: Comments on the long distance walk/cycleway at Former Tredegar Park Golf Club MAC 15.15

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<tr>
<th>Item</th>
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<tr>
<td>1</td>
<td>1</td>
<td>MAC reference</td>
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<tr>
<td>2</td>
<td>2</td>
<td>Full representation</td>
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</tbody>
</table>
  MAC 15.15 Regarding the long distance walkway/cycleway proposed through the former Tredegar Park Golf Course, my Council objected to the proposal that the entrance/exit be placed only at Golden Mile View. Council felt this was not appropriate as the footpaths in that area are of a poor standard or non-existent in places and the road is very busy. We now understand that there is a second entrance/exit proposed close to the ambulance station at Park View (alterations proposed in June 2014). If this is the case Council are happy to support this recent proposal.
<p>| 3    | 3        | Speaking at hearing session | No |</p>
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<thead>
<tr>
<th>Rep'n/Para/Policy</th>
<th>Representor</th>
<th>Accession No</th>
<th>Date Lodged</th>
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<th>Status</th>
<th>Status Modified</th>
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</thead>
<tbody>
<tr>
<td>47.Z1//MAC 5.8</td>
<td>Marshfield Community Council</td>
<td>09/07/2014</td>
<td>E</td>
<td>S</td>
<td>M</td>
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Document: Schedule of MACs
Policy: MAC 5.8
Summary: Supports MACs 5.8 and 5.9 in relation to Former Ringland Allotments gypsy and traveller accommodation

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<tr>
<th>Item</th>
<th>Question</th>
<th>Representation Text</th>
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</thead>
<tbody>
<tr>
<td>2</td>
<td>Full representation</td>
<td>Marshfield Community Council supports the amendments to the LDP. MAC 5.8 and 5.9 concerning Gypsy and Traveller transit accommodation and residential accommodation. To reflect the deletion of the proposed transit site at Celtic Way and the use of the former Ringland allotments as a transit site or residential accommodation.</td>
</tr>
<tr>
<td>3</td>
<td>Speaking at hearing session</td>
<td>No</td>
</tr>
</tbody>
</table>

84.Z1 | Caerleon and District Civic Society | 17/07/2014 | E | C | M |

Document: Schedule of MACs
Summary: No objections to the Schedule of MACs

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<thead>
<tr>
<th>Item</th>
<th>Question</th>
<th>Representation Text</th>
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</thead>
<tbody>
<tr>
<td>2</td>
<td>Full representation</td>
<td>Caerleon Civic Society have no objection to any of the changes to the LDP.</td>
</tr>
</tbody>
</table>
Matters Arising Changes Representations

by: (No grouping)
Filtered to show: (all of) Stage=Z

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<thead>
<tr>
<th>Rep'n/Para/Policy</th>
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<th>Agent</th>
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<tbody>
<tr>
<td>124.Z1</td>
<td>The National Grid</td>
<td>AMEC Environment &amp; Infrastructure UK</td>
<td>11/07/2014</td>
<td>P</td>
<td>C</td>
<td>M</td>
<td></td>
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</tbody>
</table>

Document: Schedule of MACs
Summary: Comments on employments sites affected by National Grid owned land or overhead power lines

Additional material submitted
SUBMISSION ON BEHALF OF NATIONAL GRID

National Grid has appointed AMEC to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the current consultation on the above document.

National Grid infrastructure within Newport City Council’s administrative area

Electricity Transmission
National Grid’s high voltage electricity overhead transmission lines / underground cables within Newport City Council’s administrative area that form an essential part of the electricity transmission network in England and Wales include the following:

Line Ref. Description
XM line 275kV overhead transmission line from Cowbridge substation in the Vale of Glamorgan to Whitson substation in Newport.
XR line 275kV overhead transmission line from Uskmouth substation to Whitson substation.
4YX line 400kV overhead transmission line from Cilfynydd substation in Caerphilly to Whitson substation in Newport to Newhouse substation in Monmouthshire.
XL line 275kV overhead transmission line from Whitson substation in Newport to Iron Acton substation in South Gloucestershire.
SE route 33kV line from Whitson substation to Llanwern substation (overhead line and underground cables).
SD route 33 kV line from Whitson substation to Llanwern substation (overhead transmission line and underground transmission cables).
The following substations are also located within the administrative area of Newport City Council:
Imperial Park 400 kV substation
Uskmouth 275 kV substation
Whitson 275 kV substation
Llanwern 33kV substation

National Grid has provided information in relation to electricity transmission assets via the following internet link:
http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/

Electricity and Gas Distribution
Western Power Distribution owns and operates the local electricity distribution network in Newport City Council’s administrative area.

Contact details for Western Power Distribution can be found at www.energynetworks.org.uk.

Specific Comments
National Grid has identified the following sites as being crossed by National Grid’s high voltage overhead electricity lines:
• EM1 (i) Employment- Duffryn. Crossed by route 4YX
• EM1 (ii) East of Queensway Meadows, south of Glen Llyn. Crossed by route 4YX
• EM1 (iv) Solutia. Crossed by route 4YX
• EM2 Newport Docks. Crossed by route 4YX

National Grid does not own the land over which the overhead lines cross, and it obtains the rights from individual landowners to place our equipment on their land. Potential developers of the sites should be aware that it is National Grid policy to retain our existing overhead lines in-situ. Because of the scale, bulk and cost of the transmission equipment required to operate at 400kV National Grid only supports proposals for the relocation of existing high voltage overhead lines where such proposals directly facilitate a major development or infrastructure project of national importance which has been identified as such by central government. Therefore we advise developers and planning authorities to take into account the location and nature of existing electricity transmission equipment when planning developments. National Grid prefers that buildings are not built directly beneath its overhead lines. This is for two reasons, the amenity of potential occupiers of properties in the vicinity of lines...
and because National Grid needs quick and easy access to carry out maintenance of its equipment to ensure that it can be returned to service and be available as part of the national transmission system. Such access can be difficult to obtain without inconveniencing and disturbing occupiers and residents, particularly where properties are in close proximity to overhead lines.

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. To comply with statutory safety clearances the live electricity conductors of National Grid’s overhead power lines are designed to be a minimum height above ground. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site. National Grid seeks to encourage high quality and well planned development in the vicinity of its high voltage overhead lines. Land beneath and adjacent to the overhead line route should be used to make a positive contribution to the development of the site and can for example be used for nature conservation, open space, landscaping areas or used as a parking court. National Grid, in association with David Lock Associates has produced ‘A Sense of Place’ guidelines, which look at how to create high quality development near overhead lines and offers practical solutions which can assist in avoiding the unnecessary sterilisation of land in the vicinity of high voltage overhead lines.

‘A Sense of Place’ is available from National Grid and can be viewed at:
http://www.nationalgrid.com/uk/Senseofplace/Download/

Further information regarding development near overhead lines and substations is available here:
http://www.nationalgrid.com/uk/LandandDevelopment/DDC/devnearohl_final/pdf/brochure.htm

The following National Grid substation is identified as being located within the following proposed site allocation:
• Imperial Park 400kV substation, located within land allocation EM1 (i) Employment – Duffryn

While National Grid does not object to future development in the area surrounding the substation site, we would like to take this opportunity to highlight that substations are vital to the efficient operation of our electricity transmission network for switching circuits or transforming voltage. Imperial Park substation is an essential part of the transmission network and has an important role to play in maintaining the supply of electricity to the local distribution network operator and therefore ultimately to homes and businesses throughout Newport City Council and the wider area. The site is therefore "Operational Land" and, for the reasons outlined above, there may need to be further essential utility development at the site in the future.

Map of National Grid Assets

Please find attached in Appendix 1 maps of the sites referenced above in relation to the affected National Grid asset.

Further Advice

National Grid is happy to provide advice and guidance to the Council concerning our networks. If we can be of any assistance to you in providing informal comments in confidence during your policy development, please do not hesitate to contact us. In addition the following publications are available from the National Grid website or by contacting us at the address overleaf:

- National Grid’s commitments when undertaking works in the UK - our stakeholder, community and amenity policy;
- Specification for Safe Working in the Vicinity of National Grid High Pressure Gas Pipelines and Associated Installations - Requirements for Third Parties; and
- A sense of place - design guidelines for development near high voltage overhead lines.
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<th>Mode</th>
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<tr>
<td>126.Z1/MAC 2.2</td>
<td>Gwent Wildlife Trust</td>
<td>25/07/2014</td>
<td>E</td>
<td>S</td>
<td>M</td>
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**Document:** Schedule of MACs

**Policy:** MAC 2.2

**Summary:** Supports revised Policy SP2 MAC 2.2

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<th>Question</th>
<th>Representation Text</th>
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<tbody>
<tr>
<td>1</td>
<td>MAC reference</td>
<td>Gwent Wildlife Trust welcomes recognition of the contribution that green infrastructure can make towards health and wellbeing, and its promotion within the policy.</td>
</tr>
<tr>
<td>3</td>
<td>Speaking at hearing session</td>
<td>No</td>
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</table>


**Document:** Schedule of MACs

**Policy:** MAC 2.13

**Summary:** Supports revised Policy SP13 MAC 2.13

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<th>Question</th>
<th>Representation Text</th>
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<tbody>
<tr>
<td>1</td>
<td>MAC reference</td>
<td>Gwent Wildlife Trust welcomes greater clarity regarding planning obligations, and specific mention of protection, enhancement and management of the natural environment.</td>
</tr>
<tr>
<td>3</td>
<td>Speaking at hearing session</td>
<td>No</td>
</tr>
</tbody>
</table>
### 126.Z3/MAC 2.18

**Gwent Wildlife Trust**

**Document:** Schedule of MACs  
**Policy:** MAC 2.18

**Summary:** Objection in principle to Duffryn Link Road but welcomes the further information MAC 2.18

<table>
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<th>Item</th>
<th>Question</th>
<th>Representation Text</th>
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<tbody>
<tr>
<td>1 1</td>
<td>MAC reference</td>
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<tr>
<th>2 2</th>
<th>Full representation</th>
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<tbody>
<tr>
<td></td>
<td>Whilist we maintain an objection on principle to the development of the Duffryn Link Road, we welcome the more detailed information regarding ecological constraints.</td>
<td></td>
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</table>

| 3 3  | Speaking at hearing session | No |

### 126.Z4/MAC3.2

**Gwent Wildlife Trust**

**Document:** Schedule of MACs  
**Policy:** MAC 3.2

**Summary:** Supports revised Policy GP5 MAC 3.2

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<th>Item</th>
<th>Question</th>
<th>Representation Text</th>
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<td>1 1</td>
<td>MAC reference</td>
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<tr>
<th>2 2</th>
<th>Full representation</th>
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<tbody>
<tr>
<td></td>
<td>Gwent Wildlife Trust strongly supports the changes made to promote net benefit to biodiversity.</td>
<td></td>
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</table>

| 3 3  | Speaking at hearing session | No |
### Matters Arising Changes Representations

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<tr>
<th>Rep'n/Para/Policy</th>
<th>Representer</th>
<th>Agent</th>
<th>Accession No</th>
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<tr>
<td>126.Z5//MAC 3.3</td>
<td>Gwent Wildlife Trust</td>
<td>E</td>
<td>25/07/2014</td>
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<td>S</td>
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#### Document: Schedule of MACs

**Policy: MAC 3.3**

**Summary:** Supports revised Policy GP5 MAC 3.3

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<tbody>
<tr>
<td>1</td>
<td>MAC reference</td>
<td>MAC 3.3</td>
</tr>
<tr>
<td>2</td>
<td>Full representation</td>
<td>Gwent Wildlife Trust strongly supports the changes made to include European protected species. We particularly welcome inclusion of commuting routes as well as habitats, as this will positively contribute to climate change adaptation.</td>
</tr>
<tr>
<td>3</td>
<td>Speaking at hearing session</td>
<td>No</td>
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#### Document: Schedule of MACs

**Policy: MAC 4.5**

**Summary:** Objects to revised Policy CE11 MAC 4.5

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<tr>
<td>1</td>
<td>MAC reference</td>
<td>MAC 4.5</td>
</tr>
<tr>
<td>2</td>
<td>Full representation</td>
<td>Whilst we note the reference to the Gwent Levels within the supporting text, we object to removal of reference to the Gwent Levels within the policy itself. We cannot find justification for this within the Hearing Statement. The Gwent Levels are subject to high development pressure from renewables, and developers need to have clarity regarding their importance and protection. The council has an obligation to conserve the special features of SSSIs, therefore this does not comply with C2. Equally, Wales Spatial Plan refers to protection of the Gwent Levels, therefore this removal from policy does not comply with C3.</td>
</tr>
<tr>
<td>3</td>
<td>Speaking at hearing session</td>
<td>No</td>
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</table>
### 126.Z7//MAC 5.9

**Gwent Wildlife Trust**

**Summary:** Reference to biodiversity issues on Gypsy and Traveller sites should be mentioned within the LDP MAC 5.9

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<td>1</td>
<td>MAC reference</td>
<td>MAC 5.9</td>
</tr>
<tr>
<td>2</td>
<td>Full representation</td>
<td>It should be noted that any development at these sites, such as clearing or levelling the site, or installing facilities, should be fully compliant with GP5. In our response to previous consultations we noted that the sites have not been fully surveyed prior to allocation and that constraint such as protected species and impacts on adjacent sites are likely. The council needs to be aware that biodiversity issues are likely to arise and will need to be addressed in the course of developing the site. Whilst we note the mention of this within the Delivery and Implementation Background Paper, it should be noted within the supporting text of the LDP itself in order to demonstrate the council’s commitment to conserving biodiversity.</td>
</tr>
<tr>
<td>3</td>
<td>Speaking at hearing session</td>
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### 126.Z8//MAC 9.3

**Gwent Wildlife Trust**

**Summary:** Supports the removal of school sites within SSSI MAC 9.3

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<tbody>
<tr>
<td>1</td>
<td>MAC reference</td>
<td>MAC 9.3</td>
</tr>
<tr>
<td>2</td>
<td>Full representation</td>
<td>We welcome removal of sites within the Gwent Levels SSSIs.</td>
</tr>
<tr>
<td>3</td>
<td>Speaking at hearing session</td>
<td>No</td>
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</tbody>
</table>
### Matter Arising Changes Representations

<table>
<thead>
<tr>
<th>MAC reference</th>
<th>Full representation</th>
<th>Speaking at hearing session</th>
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<tbody>
<tr>
<td>MAC 11.4</td>
<td>We welcome clarification of the policy, particularly reference to the need to protect nature conservation interests.</td>
<td>No</td>
</tr>
<tr>
<td>MAC 14.1</td>
<td>Whilst we welcome the cross referencing of policy to the proposals map, the text accompanying CE9 (Locally Designated Sites) states that ‘Where appropriate, these sites are identified on the Proposals Map; additional sites may be included in the future following a review. It is advisable to contact the Council’s specialist for the most up to date information and advice’. No SINCs and RIGS are identified on the proposals map, therefore we strongly recommend a change of wording to emphasise the need to contact the council to obtain SINC and RIG information. Reference to SINCs and RIGs could be made within this list.</td>
<td>No</td>
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<tr>
<td>Rep'n/Para/Policy</td>
<td>Agent</td>
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<td>126.Z11/MAC 2.1</td>
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<td>25/07/2014</td>
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**Document:** Schedule of MACs  
**Policy:** MAC 2.19  
**Summary:** All employment sites with potential to impact on SSSI should have regard to GP5 MAC 2.19

**Item Question**  
**Representation Text**  

1. MAC reference

2. Full representation

Gwent Wildlife Trust welcomes the reduction in area of employment land allocations. We also welcome reference to the need to protect the Usk SAC and Severn Estuary SPA. Whilst we welcome reference to the need to protect the SSSI and adhere to GP5, this is only made with respect to sites in west Newport and South East Newport. There are actually several sites with potential to impact on SSISs, and all development should adhere to GP5. We therefore strongly recommend that these statements to be general and refer to all employment developments in order to comply with C2.

3. Speaking at hearing session

**126.Z12/MAC 6.1** Gwent Wildlife Trust  

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**Document:** Schedule of MACs  
**Policy:** MAC 6.1  
**Summary:** Maintains objections against employment sites that include SSISs or SINCs MAC 6.1

**Item Question**  
**Representation Text**  

1. MAC reference

2. Full representation

Gwent Wildlife Trust maintains our objection to allocations on SSISs and SINCs:
- Duffryn – a small boundary change would avoid the SSSI
- Solutia – part SINC
- Cleppa Park – SINC
- Gwent Europark – entirely within SSSI

Whilst we welcome mention of these nature conservation issues, we regard these allocations as contrary to national planning policy, and to other parts of the LDP, and therefore contrary to C2 and CE2. The SINC at Cleppa park is not mentioned; should this and the Solutia allocation remain, we strongly recommend that reference should be made to GP5 and CE9 for both sites.

3. Speaking at hearing session

15/08/2014
Matters Arising Changes Representations

Document: Schedule of MACs

Policy: MAC 12.1

Summary: Objection to deletion of OB6 MT4 MAC 12.1

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<tr>
<th>Item</th>
<th>Question</th>
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<tr>
<td>1</td>
<td>MAC reference</td>
<td>MAC 12.1</td>
</tr>
<tr>
<td>2</td>
<td>Full representation</td>
<td>We strongly object to the loss of the OB6/MT4 ‘Number of planning permission contrary to the advice of NRW, concerning statutory wildlife sites.’ Whilst loss of SSSI is now covered through the revised OB6/MT1, the previous monitoring objective would have covered all negative impacts on statutory sites, such as diffuse pollution and disturbance. This is a weakening of the objective and fails to fully monitor the protection of statutory sites through the local planning system, contrary to national policy (C2).</td>
</tr>
<tr>
<td>3</td>
<td>Speaking at hearing session</td>
<td>No</td>
</tr>
</tbody>
</table>
Matters Arising Changes Representations

171.Z1//MAC 5.8

30/07/2014 O M

Document: Schedule of MACs
Policy: MAC 5.8
Summary: Objection to gypsy and traveller accommodation sites MAC 5.8 and MAC 5.9

Item Question Representation Text
2 2 Full representation
I am writing in response to the matters arising consultation. Since the LDP plan was drawn up two issues have changed the situation. I am concerned about how these will affect the plan. These issues are:

1) On 16 July 2014 the Welsh Government decided on their preferred route for the M4 relief road and have issued a TR111 protecting the line from development. It is clear that the development protection will have a knock on effect on the east side of Newport for some years.

2) The Williams Commission is out for consultation at the present time. This could fundamentally change the map of local government in Wales and therefore the options for locations of sites.

I would also like to reiterate my comments from last year’s submission which take even more importance due to the removal of the location on the west side of the city.

As stated at that time I have had many representations from constituents in Alway and Ringland over the proposed Gypsy traveller sites in Hartridge Farm Road and the contingency site at the former allotments and have also met with the Ringland Matters Group. I am therefore in no doubt about the strong feelings felt in the community about these proposals.

I am writing to make you aware of the concerns expressed to me:

• They believe that the LDP plan could be submitted with a provision that the Council, with the residents, are continuing to resolve the provision of sites over a period of time.

• Size of the site - The site is clearly very large by anyone’s standards with the capacity to hold up to 129 caravans. Residents’ concerns about the site are that it will be one of the largest in the UK if the LDP is to go ahead.

• Residents have also raised concerns about the existing congestion in this area being made worse by additional traffic near the schools.

• Process - There is concern that they were initially told that there was a scoring system used to assess sites. But on questioning it was found that a traffic light system was used and that this was considered by residents to be too simplistic to adequately assess the site. They feel there should be reconsideration based on a more sophisticated scoring system.

• Gypsy Travellers Views - Residents feel that the Gypsy Traveller families themselves consider this site to be too large and would prefer smaller sites. They understand that the consultation conducted with gypsy travellers gave them the option of this site or 6 others that were not suitable as they would have been insufficient to allow families to stay together. Ringland residents feel that clearly if it’s this or nothing the choice will be this but that this was therefore not a consultation rather an ultimatum.

3 3 Speaking at hearing session No
### 208.Z1//MAC 9.3

**RSPB**

**Document:** Schedule of MACs

**Policy:** MAC 9.3

**Summary:** Supports the deletion of CF13(vii) School Site South of Percoed Lane MAC 9.3

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<tr>
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<td>MAC reference</td>
<td>MAC 9.3</td>
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<tr>
<td>2.2</td>
<td>Full representation</td>
<td>The RSPB supports the deletion of CF13 (vii) School South of Percoed Lane, Duffryn</td>
</tr>
<tr>
<td>3.3</td>
<td>Speaking at hearing session</td>
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### 208.Z2//MAC 6.1

**RSPB**

**Document:** Schedule of MACs

**Policy:** MAC 6.1

**Summary:** Supports the amended boundary of EM1(i) MAC 6.1

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<tr>
<td>1.1</td>
<td>MAC reference</td>
<td>MAC 6.1</td>
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<tr>
<td>2.2</td>
<td>Full representation</td>
<td>The RSPB supports the redrawing of the boundary of EM1 (i) to exclude the Gwent Levels SSSI</td>
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<tr>
<td>3.3</td>
<td>Speaking at hearing session</td>
<td>No</td>
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</table>
Thank you for your correspondence in relation to the consultation on the proposed MACs. We recognise your Authority’s commitment to achieving a sound LDP and the amount of work by the forward planning team in reaching this stage. The matter of whether a plan is considered ‘sound’ will be for the appointed Planning Inspector to determine.

We have all ready submitted our comments on a range of topic areas throughout the examination process which have been published on the examination web site. We therefore have no objections to the proposed MACs under the tests of soundness and consider that the Council has addressed the majority of our concerns.

We have included below a small number of comments relating to clarity which may be of assistance to the Inspector at this late stage in considering suitable changes to improve the clarity and accuracy of the plan.

The reference to the ‘affordable housing requirement’ of 8,901 units should be removed from the policy. Reference to affordable housing need would be more appropriately contained within the reasoned justification as this figure is likely to change regularly, based on the need identified within the Local Housing Market Assessment. The affordable housing ‘target’ should remain within the policy.
### Matters Arising Changes Representations

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<tr>
<td>244.Z3//MAC 5.1</td>
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**Policy: MAC 5.1**

**Summary:** Comments on MAC 5.1

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<tr>
<td>2</td>
<td>2</td>
<td>Full representation Appendix 2 – Revised H1 Policy</td>
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The revised table shows that 9,855 homes are either completed, under construction or remaining in the plan period. The corresponding H1 sites table states that this figure is 10,597 homes. It appears that the affordable housing units have been duplicated in this figure? The affordable housing figures are included within the 9,855, not in addition to this. The authority need to ensure that H1 table aligns totally with the summary table in order to provide clarity when reading the plan.

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### Matters Arising Changes Representations

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**Policy: MAC 12.1**

**Summary:** Comments on MAC 12.1

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<td>2</td>
<td>2</td>
<td>Full representation Revised Monitoring Framework – Appendix 5 (OB4 – MT7)</td>
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We support the thrust of what this policy is trying to achieve, however we feel the indicator would benefit from further clarity.

For example, from what ‘baseline position’ will the Council use to determine whether the residual land values have increased or decreased by 5% in the various sub market areas. What costs have been factored into this baseline equation? Where/is this information currently available? It would be helpful if the Council would explain how it intends to monitor this indicator make the appropriate amendments.
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<td>2</td>
<td>Full representation</td>
<td><strong>MAC 2.22 - Policy SP22 Minerals</strong></td>
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For clarity and consistency with national policy, we suggest that paragraph 2.88 is amended as follows:

"There is no current landbank in Newport and resources are limited. National Planning Policy requires local authorities to maintain a landbank to meet demand where there is an insufficient landbank of permitted reserves to meet the identified demand. Ensure levels of supply are sufficient to meet anticipated demand.

The Inspector’s Matters Arising note following the Minerals hearing session stated that the rail sidings referenced in policy M4 should be clearly denoted on the proposals plan. The rail sidings at Newport Docks are listed as being safeguarded. The policy should also safeguard Monmouthshire Bank sidings. The authority’s Minerals Background Paper (paragraph 3.6) states that “the rail sidings at Mon Bank should be safeguarded to maintain existing and potential use for the transportation of aggregates by rail.” The RTS First Review also refers to safeguarding rail sidings at Monmouthshire Bank.
Matters Arising Changes Representations

Document: Schedule of MACs
Policy: MAC 5.8
Summary: Objection to gypsy and traveller accommodation sites

2 2 Full representation
As the Assembly Member for Newport East, I enclose herewith concerns of my constituents regarding the above:

- The timescale allowed for the revision was not sufficient
- The process was based on a flawed selection procedure
- There is a likelihood that the Policy Review Group would not have a balanced opinion in their view
- The Policy Review Group display a lack of understanding of the Gypsy and Traveller Sites
- A lack of documentation to evidence the evaluation and assessment of the criterion used throughout
- Feeling that sites chosen were predetermined, with procedure manipulated to favour these sites
- Concerns relating to inconsistencies in applying criterion
- Concerns with methodology used in site selection not conforming to the terms of reference within the report
- Concerns over the question asked of the Gypsy and Traveller community to gain support for the proposal
- Concerns as to the lack of documentation as to the Gypsy and Travellers’ needs and preferences and the inclusion within the criterion
- Concerns over the failure to consult with residents most affected by the proposal
- Concerns over the failure to consider the ‘economic impact’ on those residents
- Concerns re. the connotations of the reasons for members voting in favour of the Revised LD with disregard to what is the best for the whole community
- Concerns re. locating the sites in an existing deprived area with a lack of consideration given to the existing anti-social behavioural problems and other local issues
- Concerns that findings of Council’s noise survey at Ringland Allotments were seriously refuted by findings of Gallagher Estates Noise Survey

3 3 Speaking at hearing session No
Please find attached our duly completed representation forms for the Matters Arising changes consultation. These are submitted on behalf of our clients, Newbridge Estates and John Family (321).

On behalf of our clients, we specifically object to the following MAC’s:

- MAC 2.9 House Building Requirement;
- MAC 5.1 Housing Sites;
- MAC 2.6 Green Belt;
- MAC 2.7 Green Wedge; and
- MAC 2.10 Policy SP11 Eastern Expansion Area.

Our representations are prepared in the context of the Planning and Compensation Act (2004) and the requirement in section 64(5)(b) for the Plan to be sound. Based on the evidence presented, the significant number of changes and the inconsistencies within the plan we do not believe that the LDP can be considered to be sound.

It is strongly our view that there is further remedial action required in order for the plan to be found sound. Our principle concern is in relation to housing provision. The number of dwellings actually identified for development within the revised dLDP (since it was placed on deposit) has fallen by over a thousand but it has been replaced by an increase in windfall sites assumptions, allocation of other potential windfall sites and reliance upon delivery assumptions that are already falling behind the requirement.

We consider that the practical effects of the plan in its present form will be to restrict housing development in the same way as during the UDP period (whereby there was an insufficient land supply in 12 out of the 15 years it covered). Given the changes already required and variation in key components in the plan, we consider that there is a lack of credibility and robustness, this is emphasised by the recently released draft 2014 JHLAS schedule which shows a shortfall of completion rates already and we consider this is particularly the case against the backdrop of other failed LDP’s where similar assumptions were made against the evidence presented by those representing industry.

Accordingly, we recommend a number of changes within our representations that we believe would remedy the problems.
### Matters Arising Changes Representations

Newport City Council Local Development Plan

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<tr>
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<th>Representer</th>
<th>Agent</th>
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Document: Schedule of MACs

Policy: MAC 2.9

Summary: Objection to revised Policy SP10 MAC 2.9

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**Item Question**

**Representation Text**

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<td>MAC 2.9</td>
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</table>
We are concerned over the changes that have been made to the plan in relation to housing provision. In the first instance that they have not helped to address its shortcomings and secondly updated evidence indicates that the plan is already falling short of its own monitoring requirements.

1. 2014 Joint Housing Land Availability Study

In the first instance we note that important context for the Matters Arising Changes is provided by the Council’s recently released schedule for the 2014 JHLAS.

It confirms that the Council have already fallen behind on completions (by around 115 dwellings) from the level that was indicated in their evidence for Hearing Session 19 and practically means that the plan is already failing to achieve its own requirements. We do not believe that it is a credible situation for a plan that is part way through examination to be already failing behind on its requirement. This confirms a clear problem with the land supply and assumptions being made.

Furthermore, by April 2015 (8 months from now) all of the evidence presented during the LDP examination regarding lack of delivery and progress suggests that it will fail to achieve the completions target for the second year and require remedial action. This is a situation that is now compounded as a problem as the immediate “pipeline” supply of windfall sites are proposed to become allocations (site references H61, H62, H63 and H64). This is in addition to the windfall sites that have become allocations since the plan was placed on Deposit (H58, H59 and H60).

Notwithstanding the completions information, it is plainly the case that given the new guidance from the WG, that sites that have been within the schedule for over 5 years will need to revert to 3(i) unless there is substantial evidence that it should remain. The WG have confirmed in writing to the HBF that an allocation is not enough to justify retention in the five year supply. Whilst the JHLAS process is underway and yet to be finalised, we would estimate that there will be in excess of 1,000 dwellings proposed within the 5 year supply by the Council that will be subject to dispute. For information, we attach our comments on the 2014 draft schedule.

2. 12% flexibility

The explanation given for the Council’s flexibility allowance at Hearing Session 19 suggests that the 12% has not been correctly derived or applied.

We note that the level of flexibility varied over the course of the hearings as the supply fluctuated. The only explanation given was at Hearing Session 19 whereby the Council indicated that the 12% derived from the 546 dwellings shortfall of the UDP, which equated to a 6% shortfall and that figure is then applied to the final two 5 year periods of the LDP (6% flexibility for the period 2016 to 2021 and 6% for 2021 to 2026). However, the 546 shortfall was actually a 7.3% shortfall of the UDP requirement (7,500) which if applied as the Council plainly intend should equate to a 14.6% figure. There is simply no value in identifying the UDP shortfall as a % of the LDP requirement as the Council have done as they are two separate plans with two separate requirements.

Further, we do not believe it is credible to apply this only to a 10 year period when there are 12 years remaining and significant flexibility has already been required (with the numerous and significant changes to policy H1 that have taken place between December 2013 and now), Given that the latest JHLAS figures provided by the Council show the plan is failing already to deliver completions required, then it can only be the case that this should be increased. The practical implication of not achieving an appropriate level means that remedial action will be required. We consider that the initial shortfalls will cumulatively increase at a significant rate over the plan period as already ambitious targets are unlikely to be met due to inherent land supply short comings. This is plainly a highly unsatisfactory outcome for all involved in the process.

Accordingly, if the Council’s explanation of flexibility is to be applied correctly, then the flexibility allowance should be a minimum of 14% and should be applied pro rata to the remaining 13 years (not 10) which would equate to around 18% (equalling a flexibility allowance of 1,863 not 1,273). This would at least take appropriate stops now in order seek to prevent an early review being required due to the assumption being incorrectly applied.

We note that whilst a lower (10%) flexibility allowance may have been appropriate elsewhere, it is individual circumstances that must be the key factor. Indeed, the Caerphilly LDP sought to achieve 19% flexibility, but given the inherent problems with the identified land supply this failed to be sufficient, despite the assurances of the Council. In the case of Caerphilly this has led to significant abortive costs, delays and failure of house building with the associated economic benefits that accompany it. Such problems at Newport would be harmful to the LDP and the economy.

3. Windfalls
We are very concerned over the reliance upon windfall sites and that the additional sites now proposed as allocations have the practical effect of actually reducing the “pipeline” source of windfall sites for the period from 2013 to 2016. Indeed, the assumptions that are incorporated into the Council’s land supply regarding windfalls (95 per annum) are effectively double counted as the very sites that would have justified the assumption are now also made allocations. We discuss our concerns over individual sites separately.

Given that more windfall sites are now proposed to be allocated, there can reasonably be no windfall sites expected to contribute towards the supply between 2013 and 2016 given the timeframes involved and accordingly the assumption that 380 windfall sites will be delivered between these years (95 per annum) should now be removed and no reliance placed on this element of the supply.

4. Policy H1

We considered herein the consideration of existing and new sites and the changed circumstances surrounding each. We would note that we reiterate our concerns over other sites on the H1 list where we have previously identified concerns and we note that these will need to be considered in detail through the JHLAS process, accordingly we attach our comments on the Council’s draft schedule for ease of reference and completeness.

i. H3 (Llanwern Village) Given the changes to Policy H16 (in relation to transit Gypsy Sites) and increased status we cannot see how H3 (Llanwern Village) can credibly be relied upon. Indeed, the plan now envisages that the H16 site is developed by 2016. It is plainly without credibility to now rely upon this housing site despite all of the evidence that has been presented including that of the promoter (Gallaghers Estates). In line with the evidence submitted it should only be relied upon optimistically to deliver 550 dwellings during the plan period not 1100, pessimistically it may remain undeveloped (as it did through the UDP period and to date).

ii. S106 sites: It remains our view that it lacks credibility to include as allocations or commitments sites that remain subject to s106. These are sites that have failed to secure planning permission previously and there is no evidence that suggested they can be relied upon now. Under proposed new TAN1 guidance such sites would be removed from the housing supply after 1 year;

iii. H55 (Jigsaw site) – suitable wording should be included within the plan in order for H55 to comply with Policy CE9 which requires that the loss of SINCs is entirely mitigated for.

We object to the inclusion of the following additional sites:

iv. H61 (Postal Exchange) is a site that comprises 0.2ha and would be developed at a density of 350 dwellings per ha to achieve the 70 that are envisaged. We note that Uskside Paint Mills (H64) is also 0.2 ha and it has had 2 applications for 77 refused both of which necessitated a 14 storey town to accommodate that level of development.

Given the size of the existing building we cannot see that these figures are correct. Rather a realistic density would be around 50. In this regard it should be treated as a windfall site.

v. H63 (Telford Depot) – It is evident that this will be the location of the Estates Department until at least 2019. There is no firm indication that it will be released. Therefore clarification must be given over whether this site is actually available and if not.

It would be more credibly considered as a windfall particularly given the potential quantum of development – at a density of 30dph then it would yield less than 50 dwellings.

vi. H64 Uskside Paint Mills – We are concerned that the Council are now considering sites for inclusion that they have refused planning permission for. In this instance it has twice been refused planning permission (the latest refusal came in June 2014). Both schemes have been for 77 dwellings and have included a 14 storey tower.

In any event, at 53 dwellings this can only realistically be considered as a windfall site if a viable scheme can be found.

Changes required to make the plan sound

There is plainly a requirement for unconstrained, deliverable and genuinely available housing land to be identified to ensure continuity of supply and to ensure that the ambitious targets can be met.

Based on our consideration of all matters, we believe the following changes are required in order to address the problems with the Matters Arising Changes:
1. The Council’s rationale on flexibility should be applied correctly and related to a 13 year period.

This would require an additional 590 dwellings to be identified;

2. Given the proposed allocation of windfall sites, the additional inbuilt windfall assumption for the 4 year period 2013 to 2017 (380 dwellings) should be discounted and made up with new allocations.

3. In line with evidence presented by Gallaghers the H3 site should only be considered to provide 550 dwellings during the plan period; and

4. The policy in relation to H55 (the Jigsaw site) should be amended to be clear that it is reliant upon a mitigation measures being identified as mitigation for the loss of the SINC.

In line with our previous representations and comments land at Cwrt Camlas, Rogerstone should be allocated for residential purposes to contribute towards these deficiencies. The alteration to the settlement boundary is a consequential change to the plan that would logically follow its allocation for development.

Given the problems identified, we consider that if the above points are not accepted then additional reserve sites should be identified at this stage in order to be promptly released for development when build rates and land supply fall below the level required. This will avoid a further costly and lengthy site identification process which would only be harmful to Newport and the LDP strategy.

3  Speaking at hearing session

Due to the significant policy issues raised in the attached Representation.

Yes
### Matters Arising Changes Representations

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- **Document:** Schedule of MACs
- **Policy:** MAC 5.1
- **Summary:** Objection to revised housing provision MAC 5.1

**Additional material submitted**

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We considered herein the consideration of existing and new sites and the changed circumstances surrounding each. We would note that we reiterate our concerns over other sites on the H1 list where we have previously identified concerns and we note that these will need to be considered in detail through the JHLAS process, accordingly we attach our comments on the Council’s draft schedule for ease of reference and completeness.

i. H3 (Llanwern Village) Given the changes to Policy H16 (in relation to transit Gypsy Sites) and increased status we cannot see how H3 (Llanwern Village) can credibly be relied upon. Indeed, the plan now envisages that the H16 site is developed by 2016.

It is plainly without credibility to now rely upon this housing site despite all of the evidence that has been presented including that of the promoter (Gallaghers Estates). In line with the evidence submitted it should only be relied upon optimistically to deliver 550 dwellings during the plan period not 1100, pessimistically it may remain undeveloped (as it did through the UDP period and to date).

ii. S106 sites: It remains our view that it lacks credibility to include as allocations or commitments sites that remain subject to s106. These are sites that have failed to secure planning permission previously and there is no evidence that suggested they can be relied upon now. Under proposed new TAN1 guidance such sites would be removed from the housing supply after 1 year;

iii. H55 (Jigsaw site) – suitable wording should be included within the plan in order for H55 to comply with Policy CE9 which requires that the loss of SINCs is entirely mitigated for.

We object to the inclusion of the following additional sites:

iv. H61 (Postal Exchange) is a site that comprises 0.2ha and would be developed at a density of 350 dwellings per ha to achieve the 70 that are envisaged. We note that Uskside Paint Mills (H64) is also 0.2 ha and it has had 2 applications for 77 refused both of which necessitated a 14 storey town to accommodate that level of development.

Given the size of the existing building we cannot see that these figures are correct. Rather a realistic density would be around 50. In this regard it should be treated as a windfall site.

v. H63 (Telford Depot) – It is evident that this will be the location of the Estates Department until at least 2019. There is no firm indication that it will be released. Therefore clarification must be given over whether this site is actually available and if not.

It would be more credibly considered as a windfall particularly given the potential quantum of development – at a density of 30dph then it would yield less than 50 dwellings.

vi. H64 Uskside Paint Mills – We are concerned that the Council are now considering sites for inclusion that they have refused planning permission for. In this instance it has twice been refused planning permission (the latest refusal came in June 2014). Both schemes have been for 77 dwellings and have included a 14 storey tower.

In any event, at 53 dwellings this can only realistically be considered as a windfall site if a viable scheme can be found.

Changes required to make the plan sound

There is plainly a requirement for unconstrained, deliverable and genuinely available housing land to be identified to ensure continuity of supply and to ensure that the ambitious targets can be met.

Based on our consideration of all matters, we believe the following changes are required in order to address the problems with the Matters Arising Changes:
1. The Council’s rationale on flexibility should be applied correctly and related to a 13 year period.

   This would require an additional 590 dwellings to be identified;

2. Given the proposed allocation of windfall sites, the additional inbuilt windfall assumption for the 4 year period 2013 to 2017 (380 dwellings) should be discounted and made up with new allocations.

3. In line with evidence presented by Gallaghers the H3 site should only be considered to provide 550 dwellings during the plan period; and

4. The policy in relation to H55 (the Jigsaw site) should be amended to be clear that it is reliant upon a mitigation measures being identified as mitigation for the loss of the SINC.

   In line with our previous representations and comments land at Cwrt Camlas, Rogerstone should be allocated for residential purposes to contribute towards these deficiencies. The alteration to the settlement boundary is a consequential change to the plan that would logically follow its allocation for development.

   Given the problems identified, we consider that if the above points are not accepted then additional reserve sites should be identified at this stage in order to be promptly released for development when build rates and land supply fall below the level required. This will avoid a further costly and lengthy site identification process which would only be harmful to Newport and the LDP strategy.

### 321.Z4//MAC 2.6

<table>
<thead>
<tr>
<th>MAC reference</th>
<th>Newbridge Ests &amp; John Fmly</th>
<th>Boyer Planning</th>
<th>- Cardiff</th>
<th>01/08/2014</th>
<th>E</th>
<th>O</th>
<th>M</th>
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</thead>
</table>

**Document:** Schedule of MACs

**Policy:** MAC 2.6

**Summary:** Objection to revised Policy SP6 MAC 2.6

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<th>Item Question</th>
<th>Representation Text</th>
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<tr>
<td>1 1 MAC reference</td>
<td>MAC 2.6</td>
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2 2 Full representation

   It is strongly our view that each application should be considered on its own merits, and specific circumstances may exist where the increase in dwelling size by over 30% may not have a negative impact upon the openness of the Green Belt. Accordingly, we feel that flexibility ought to exist for such occasions in line with PPW 4.8.16

   Change required to make the Plan Sound

   Ensure that plan requirement is in line with PPW para 4.8.16.

---

3 3 Speaking at hearing session

   Due to the significant policy issues raised in the attached Representation.
MAC 2.7

Newbridge Ests & John Fmly

Boyer Planning - Cardiff

01/08/2014

Document: Schedule of MACs
Policy: MAC 2.7
Summary: Objection to revised Policy SP7 MAC 2.7

Item Question Representation Text

1 1 MAC reference

2 2 Full representation

It is strongly our view that each application should be considered on its own merits, and specific circumstances may exist where the increase in dwelling size by over 30% may not have a negative impact upon the openness of the Green Belt. Accordingly, we feel that flexibility ought to exist for such occasions in line with PPW 4.8.16

Change required to make the Plan Sound

Ensure that plan requirement is in line with PPW para 4.8.16.

3 3 Speaking at hearing session

Due to the significant policy issues raised in the attached Representation.
**Item Question** | **Representation Text**
--- | ---
1 | MAC reference
2 | Full representation

We object to the exclusion from this text of reference to the two gypsy traveller sites H15 and H16. These are important components of this area in the future and see no reason why they should be excluded from the wording of this section. Specific reference should be made to the two sites within the policy wording itself.

Indeed, H15 and H16 are large sites totalling over 10 ha which the plan intends are providing Gypsy and Traveller Accommodation by 2016. Given the additional population that will therefore be located within this part of Newport as a result of the traveller pitches they plainly form an important part of the area and will use infrastructure including the schools, local centres etc. that are associated with Llanwern Steelworks and the Llanwern Village site. In this regard they will form an important part of the community.

In relation to the Jigsaw site it should be explicit that this is a SINC and compliance with Policy CE9 is required. In this regard the policy should be clear that a suitable mitigation site will need to be identified prior to the development of the Jigsaw site.

In dealing with this area as a whole it is important to note that the evidence provided to the Examination indicates that a lower amount of completions would be expected from the H3 (Llanwern Village) site when all of the relevant allocations are taken as a whole. We have set out our concerns on this in our objections specifically in relation to H1.

3 | Speaking at hearing session

Due to the significant policy issues raised in the attached Representation.
Matters Arising Changes Representations

by: (No grouping)
Filtered to show: (all of) Stage=Z

Rep'n/Para/Policy     Representor     Agent     Accession No     Date Lodged     Late?     Source     Type     Mode     Status     Status Modified

357.Z1//MAC 2.13 Dwr Cymru Welsh Water

Document: Schedule of MACs
Policy: MAC 2.13
Summary: Requests slight amendment to Policy SP13 MAC 2.13

<table>
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<tr>
<th>Item</th>
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<td>1</td>
<td>MAC reference</td>
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<td>2</td>
<td>Full representation</td>
<td>We are supportive of the changes proposed in the Policy wording and supporting text, but with regard to the Policy wording, request the inclusion of 'water and sewerage infrastructure' to the infrastructure priorities list. We appreciate that the Policy wording states that the list is not exhaustive, nevertheless water and sewerage infrastructure are material planning considerations in the planning process and are a fundamental pre-requisite to development proceeding. As a Statutory Water and Sewerage Undertaker, we always try to ensure that sufficient infrastructure exists for domestic developments. Our Asset Management Plans (AMP) set out the specific water and sewerage infrastructure that is to be improved over a 5-year period, with the funding approved by our industry regulator Ofwat. However, there is the potential for disparity in the timeframes of our AMPs and the plan periods of Local Development Plans which may have consequences for the timing of key infrastructure coming forward. As such, where there is no planned improvement in the current AMP to particular water or sewerage infrastructure that requires upgrading, it may be reasonable for developers to meet, or contribute towards the cost of providing such infrastructure through the use of Planning Obligations, in order to facilitate and bring forward development that would otherwise be undeliverable and unacceptable in planning terms.</td>
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3    | Speaking at hearing session | Should the Inspector request our attendance at any potential future hearing session, we are happy to oblige. | Yes |

01/08/2014  E  C  M

15/08/2014
### Matters Arising Changes Representations

**Document:** Schedule of MACs  
**Policy:** MAC 5.1  
**Summary:** Comments on additional housing sites MAC 5.1 and MAC 15.12

<table>
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<td>MAC 5.1 and MAC 15.12</td>
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Matters Arising Changes Representations

by: (No grouping)
Filtered to show: (all of) Stage=Z

Representor

Rep'n/Para/Policy    Representor

Agent      Accession No Date Lodged Late? Source Type Mode Status Status Modified

2 2 Full representation

H61 – Postal Exchange

Water Supply
A water supply can be provided to serve this site.

Sewerage
Our records indicate that there has been an incident of internal flooding to a property downstream of the development site. However, this incident occurred in an exceptional weather event and has since been confirmed as a 33-year event in the Newport area, therefore the property is not assessed as a risk in non-exceptional weather.

The site can be delivered subject to a hydraulic modelling assessment being undertaken in order to establish the point of connection to the public sewer system and / or any improvement work required.

Sewerage Treatment
No problems are envisaged at the receiving Nash Waste Water Treatment Works to accommodate the domestic foul flows from this site.

H62 – Queens Hill School

Water Supply
A water supply can be provided to service this site

Sewerage
Our records indicate that there has been an incident of internal flooding to a property downstream of the development site. A scheme to resolve this issue has been factored into our current Capital Investment Programme. Potential developers can either wait for Dŵr Cymru Welsh Water to resolve this situation, or alternatively, can progress the site through the sewerage requisition provisions of the Water Industry Act 1991 or Section 106 Town & Country Planning Act 1990.

Sewerage Treatment
No problems are envisaged at the receiving Nash Waste Water Treatment Works to accommodate the domestic foul flows from this site.

H63 – Telford Depot

Water Supply
The existing network in the area would require upgrading to accommodate the level of development proposed on this site. This could be provided through the water requisition provisions of the Water Industry Act 1991.

Sewerage
The site can be delivered subject to a hydraulic modelling assessment being undertaken in order to establish the point of connection to the public sewer system and / or any improvement work required.

Sewerage Treatment
No problems are envisaged at the receiving Nash Waste Water Treatment Works to accommodate the domestic foul flows from this site.

H64 – Uskside Paint Mills

Water Supply
The existing network in the area would require upgrading to accommodate the level of development proposed on this site. This could be provided through the water requisition provisions of the Water Industry Act 1991.

Sewerage
Matters Arising Changes Representations

The site can be delivered subject to a hydraulic modelling assessment being undertaken in order to establish the point of connection to the public sewer system and / or any improvements work required.

Sewerage Treatment
No problems are envisaged at the receiving Nash Waste Water Treatment Works to accommodate the domestic foul flows from this site.

Should the Inspector request our attendance at any potential future hearing session, we are happy to oblige.

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<th>Rep'n/Para/Policy</th>
<th>Representer</th>
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<td>Caston, Mr R J</td>
<td>11/07/2014</td>
<td>P O M</td>
<td></td>
<td>Document: Schedule of MACs</td>
<td>Policy: MAC 2.6</td>
<td>Summary: Objection to the deletion of the northern extension of the Green Belt MAC 2.6</td>
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<td>Representation Text</td>
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<td>3 Speaking at hearing session</td>
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I object to the proposed deletion of the northern extension of the Green Belt to the M4. The Green Belt serves a useful purpose in preventing coalescence of Newport and Cardiff, and the proposed extension should be allowed.

<table>
<thead>
<tr>
<th>694.Z2//MAC 2.8</th>
<th>Caston, Mr R J</th>
<th>11/07/2014</th>
<th>P S M</th>
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<tbody>
<tr>
<td>Document: Schedule of MACs</td>
<td>Policy: MAC 2.8</td>
<td>Summary: Supports Special Landscape Area at West of Rhiwderin MAC 2.8</td>
<td></td>
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<tr>
<td>Item Question</td>
<td>Representation Text</td>
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<td>1 MAC reference</td>
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<td>2</td>
<td>2 Full representation</td>
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<td>3 Speaking at hearing session</td>
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I support the Special Landscape Area "West of Rhiwderin". This should start west of the A467 to include the curtilage of Bassaleg and Rhiwderin.
### Matters Arising Changes Representations

**Newport City Council Local Development Plan**

**Rep'n/Para/Policy**  
Filtered to show: (all of) Stage=Z  
by: (No grouping)

<table>
<thead>
<tr>
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<td>11/07/2014</td>
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**Document:** Schedule of MACs  
**Policy:** MAC 2.8

**Summary:** Objects to the deletion of Tredegar Park Special Landscape Area MAC 2.8

<table>
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<tr>
<th>Item Question</th>
<th>Representation Text</th>
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<tbody>
<tr>
<td>1 1 MAC reference</td>
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<tr>
<td>2 2 Full representation</td>
<td>I object to the deletion of Tredegar Park as a Special Landscape Area. This is a valuable &quot;Green Lung&quot; to the surrounding built-up areas and should remain as a green space for walkers and recreation.</td>
</tr>
<tr>
<td>3 3 Speaking at hearing session</td>
<td>No</td>
</tr>
</tbody>
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| 694.Z4//MAC 7.1 | Caston, Mr R J | 11/07/2014 | P | S | M |

**Document:** Schedule of MACs  
**Policy:** MAC 7.1

**Summary:** Supports revised Policy T1 MAC 7.1

<table>
<thead>
<tr>
<th>Item Question</th>
<th>Representation Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 1 MAC reference</td>
<td></td>
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</tbody>
</table>
| 2 2 Full representation | I support proposals for:  
(i) New stations at Llanwern, Caerleon and Coedkernew.  
(ii) Trains from Ebbw Vale to Newport.  
(iii) Electrification of the South Wales main railway line. Should extend to all Valley lines.  
(iv) Protection of disused lines from development.  
(v) Protect and encourage rail access to industrial development, especially to Uskmouth and Newport docks. |
| 3 3 Speaking at hearing session | No |
### 694.Z5//MAC 7.2

**Rep'n/Para/Policy:** 694.Z5//MAC 7.2  
**Representor:** Caston, Mr R J  
**Date Lodged:** 11/07/2014  
**Accession No:** 11/07/2014  
**Mode:** P  
**Type:** S  
**Status:** M  
**Status Modified:**

**Document:** Schedule of MACs  
**Policy:** MAC 7.2

**Summary:** Supports the restoration of the Ebbw Valley to Newport railway MAC 7.2

<table>
<thead>
<tr>
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<td>7.2</td>
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<td>2</td>
<td>Full representation</td>
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</tbody>
</table>
I support the restoration of the rail link from Ebbw Valley to Newport, an important strategic link for commuters to the City area, and other rail users. |
| 3 | Speaking at hearing session | No |

### 694.Z6//MAC 15.1

**Rep'n/Para/Policy:** 694.Z6//MAC 15.1  
**Representor:** Caston, Mr R J  
**Date Lodged:** 11/07/2014  
**Accession No:** 11/07/2014  
**Mode:** P  
**Type:** C  
**Status:** M  
**Status Modified:**

**Document:** Schedule of MACs  
**Policy:** MAC 15.1

**Summary:** Comments on the proposed amendment of Former Tredegar Park long distance walk/cycleway MAC 15.1

<table>
<thead>
<tr>
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<th>Question</th>
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<tr>
<td>1</td>
<td>MAC reference</td>
<td>15.15</td>
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<td>2</td>
<td>Full representation</td>
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</table>
I object to the proposal to truncate the walkway/cycleway, bringing it out on Bassaleg Road. Bassaleg Road is a busy thoroughfare, with sub-standard pavements and is unsuitable as part of the above. I support the proposal to route the walkway/cycleway across the former golf course, away from road traffic. |
| 3 | Speaking at hearing session | No |
Please find attached our duly completed representation forms for the Matters Arising changes consultation. These are submitted on behalf of our clients, Mr R.A.I Herbert (1117).

On behalf of our clients, we specifically object to the following MAC's:

- MAC 2.9 House Building Requirement;
- MAC 5.1 Housing Sites;
- MAC 2.6 Green Belt;
- MAC 2.7 Green Wedge;
- MAC 2.10 Policy SP11 Eastern Expansion Area;
- MAC 2.21 Minerals;
- MAC 2.22 Minerals; and
- MAC 10.1 Minerals.

Our representations are prepared in the context of the Planning and Compensation Act (2004) and the requirement in section 64(5)(b) for the Plan to be sound. Based on the evidence presented, the significant number of changes and the inconsistencies within the plan we do not believe that the LDP can be considered to be sound.

It is strongly our view that there is further remedial action required in order for the plan to be found sound. Our principle concern is in relation to housing provision. The number of dwellings actually identified for development within the revised dLDP (since it was placed on deposit) has fallen by over a thousand but it has been replaced by an increase in windfall sites assumptions, allocation of other potential windfall sites and reliance upon delivery assumptions that are already falling behind the requirement.

We consider that the practical effects of the plan in its present form will be to restrict housing development in the same way as during the UDP period (whereby there was an insufficient land supply in 12 out of the 15 years it covered). Given the changes already required and variation in key components in the plan, we consider that there is a lack of credibility and robustness, this is emphasised by the recently released draft 2014 JHLAS schedule which shows a shortfall of completion rates already and we consider this is particularly the case against the backdrop of other failed LDP’s where similar assumptions were made against the evidence presented by those representing industry.

Accordingly, we recommend a number of changes within our representations that we believe would remedy the problems.
### Matters Arising Changes Representations

**Document:** Schedule of MACs

**Policy:** MAC 2.9

**Summary:** Objection to changes made to revised housing provision MAC 2.9

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<th>Item</th>
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<td>1</td>
<td>MAC reference</td>
<td>MAC 2.9</td>
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</table>

**Representor:** Herbert, Richard

**Agent:** Boyer Planning - Cardiff

**Accession No:** 1117.Z2/MAC 2.9

**Date Lodged:** 01/08/2014

**Late?** □

**Source:** E

**Type:** O

**Mode:** M

**Status:**

**Status Modified:**

*Additional material submitted*
We are concerned over the changes that have been made to the plan in relation to housing provision. In the first instance that they have not helped to address its shortcomings and secondly updated evidence indicates that the plan is already falling short of its own monitoring requirements.

1. 2014 Joint Housing Land Availability Study
   In the first instance we note that important context for the Matters Arising Changes is provided by the Council’s recently released schedule for the 2014 JHLAS.
   It confirms that the Council have already fallen behind on completions (by around 115 dwellings) from the level that was indicated in their evidence for Hearing Session 19 and practically means that the plan is already failing to achieve its own requirements. We do not believe that it is a credible situation for a plan that is part way through examination to be already falling behind on its requirement. This confirms a clear problem with the land supply and assumptions being made.
   Furthermore, by April 2015 (8 months from now) all of the evidence presented during the LDP examination regarding lack of delivery and progress suggests that it will fail to achieve the completions target for the second year and require remedial action. This is a situation that is now compounded as a problem as the immediate “pipeline” supply of windfall sites are proposed to become allocations (site references H61, H62, H63 and H64). This is in addition to the windfall sites that have become allocations since the plan was placed on Deposit (H58, H59 and H60).
   Notwithstanding the completions information, it is plainly the case that given the new guidance from the WG, that sites that have been within the schedule for over 5 years will need to revert to 3(i) unless there is substantial evidence that it should remain. The WG have confirmed in writing to the HBF that an allocation is not enough to justify retention in the five year supply. Whilst the JHLAS process is underway and yet to be finalised, we would estimate that there will be in excess of 1,000 dwellings proposed within the 5 year supply by the Council that will be subject to dispute. For information, we attach our comments on the 2014 draft schedule.

2. 12% flexibility
   The explanation given for the Council’s flexibility allowance at Hearing Session 19 suggests that the 12% has not been correctly derived or applied.
   We note that the level of flexibility varied over the course of the hearings as the supply fluctuated. The only explanation given was at Hearing Session 19 whereby the Council indicated that the 12% derived from the 546 dwellings shortfall of the UDP, which equated to a 6% shortfall and that figure is then applied to the final two 5 year periods of the LDP (6% flexibility for the period 2016 to 2021 and 6% for 2021 to 2026). However, the 546 shortfall was actually a 7.3% shortfall of the UDP requirement (7,500) which if applied as the Council plainly intend should equate to a 14.6% figure. There is simply no value in identifying the UDP shortfall as a % of the LDP requirement as the Council have done as they are two separate plans with two separate requirements.
   Further, we do not believe it is credible to apply this only to a 10 year period when there are 12 years remaining and significant flexibility has already been required (with the numerous and significant changes to policy H1 that have taken place between December 2013 and now). Given that the latest JHLAS figures provided by the Council show the plan is failing already to deliver completions required, then it can only be the case that this should be increased. The practical implication of not achieving an appropriate level means that remedial action will be required. We consider that the initial shortfalls will cumulatively increase at a significant rate over the plan period as already ambitious targets are unlikely to be met due to inherent land supply short comings. This is plainly a highly unsatisfactory outcome for all involved in the process.
   Accordingly, if the Council’s explanation of flexibility is to be applied correctly, then the flexibility allowance should be a minimum of 14% and should be applied pro rata to the remaining 13 years (not 10) which would equate to around 18% (equalling a flexibility allowance of 1,863 not 1,273). This would at least take appropriate stops now in order seek to prevent an early review being required due to the assumption being incorrectly applied.
   We note that whilst a lower (10%) flexibility allowance may have been appropriate elsewhere, it is individual circumstances that must be the key factor. Indeed, the Caerphilly LDP sought to achieve 19% flexibility, but given the inherent problems with the identified land supply this failed to be sufficient, despite the assurances of the Council. In the case of Caerphilly this has led to significant abortive costs, delays and failure of house building with the associated economic benefits that accompany it. Such problems at Newport would be harmful to the LDP and the economy.

3. Windfalls
   We are very concerned over the reliance upon windfall sites and that the additional sites now proposed as allocations have the practical effect of actually reducing the “pipeline” source of windfall sites for the period from 2013 to 2016.
Indeed, the assumptions that are incorporated into the Council’s land supply regarding windfalls (95 per annum) are effectively double counted as the very sites that would have justified the assumption are now also made allocations. We discuss our concerns over individual sites separately.

Given that more windfall sites are now proposed to be allocated, there can reasonably be no windfall sites expected to contribute towards the supply between 2013 and 2016 given the timeframes involved and accordingly the assumption that 380 windfall sites will be delivered between these years (95 per annum) should now be removed and no reliance placed on this element of the supply.

4. Policy H1

We considered herein the consideration of existing and new sites and the changed circumstances surrounding each. We would note that we reiterate our concerns over other sites on the H1 list where we have previously identified concerns and we note that these will need to be considered in detail through the JHLAS process, accordingly we attach our comments on the Council’s draft schedule for ease of reference and completeness.

i. H3 (Llanwern Village) Given the changes to Policy H16 (in relation to transit Gypsy Sites) and increased status we cannot see how H3 (Llanwern Village) can credibly be relied upon. Indeed, the plan now envisages that the H16 site is developed by 2016.

It is plainly without credibility to now rely upon this housing site despite all of the evidence that has been presented including that of the promoter (Gallaghers Estates). In line with the evidence submitted it should only be relied upon optimistically to deliver 550 dwellings during the plan period not 1100, pessimistically it may remain undeveloped (as it did through the UDP period and to date).

ii. S106 sites: It remains our view that it lacks credibility to include as allocations or commitments sites that remain subject to s106. These are sites that have failed to secure planning permission previously and there is no evidence that suggested they can be relied upon now. Under proposed new TAN1 guidance such sites would be removed from the housing supply after 1 year;

iii. H55 (Jigsaw site) – suitable wording should be included within the plan in order for H55 to comply with Policy CE9 which requires that the loss of SINCs is entirely mitigated for.

We object to the inclusion of the following additional sites:

iv. H61 (Postal Exchange) is a site that comprises 0.2ha and would be developed at a density of 350 dwellings per ha to achieve the 70 that are envisaged. We note that Uskside Paint Mills (H64) is also 0.2 ha and it has had 2 applications for 77 refused both of which necessitated a 14 storey tower to accommodate that level of development.

Given the size of the existing building we cannot see that these figures are correct. Rather a realistic density would be around 50. In this regard it should be treated as a windfall site.

v. H63 (Telford Depot) – It is evident that this will be the location of the Estates Department until at least 2019. There is no firm indication that it will be released. Therefore clarification must be given over whether this site is actually available and if not.

It would be more credibly considered as a windfall particularly given the potential quantum of development – at a density of 30dph then it would yield less than 50 dwellings.

vi. H64 Uskside Paint Mills – We are concerned that the Council are now considering sites for inclusion that they have refused planning permission for. In this instance it has twice been refused planning permission (the latest refusal came in June 2014). Both schemes have been for 77 dwellings and have included a 14 storey tower.

In any event, at 53 dwellings this can only realistically be considered as a windfall site if a viable scheme can be found.

Changes required to make the plan sound

There is plainly a requirement for unconstrained, deliverable and genuinely available housing land to be identified to ensure continuity of supply and to ensure that the ambitious targets can be met.

Based on our consideration of all matters, we believe the following changes are required in order to address the problems with the Matters Arising Changes:
1. The Council’s rationale on flexibility should be applied correctly and related to a 13 year period. This would require an additional 590 dwellings to be identified;

2. Given the proposed allocation of windfall sites, the additional inbuilt windfall assumption for the 4 year period 2013 to 2017 (380 dwellings) should be discounted and made up with new allocations.

3. In line with evidence presented by Gallaghers the H3 site should only be considered to provide 550 dwellings during the plan period; and

4. The policy in relation to H55 (the Jigsaw site) should be amended to be clear that it is reliant upon a mitigation measures being identified as mitigation for the loss of the SINC.

In order to address these deficiencies, in line with our previous objections and comments, land at Llwynhaid, Bettws should be allocated for c. 200 dwellings. The alteration to the settlement boundary, deletion of the Minerals safeguarding area, and removal from the SLA are consequential changes to the plan that would logically follow its allocation for development.

Given the problems identified, we consider that if the above points are not accepted then additional reserve sites should be identified at this stage in order to be promptly released for development when build rates and land supply fall below the level required. This will avoid a further costly and lengthy site identification process which would only be harmful to Newport and the LDP strategy.

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<th>Speaking at hearing session</th>
<th>Yes</th>
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<tr>
<td>3</td>
<td>Due to the significant policy issues raised in the attached Representation.</td>
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<tr>
<td>Rep'n/Para/Policy</td>
<td>Representor</td>
<td>Agent</td>
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<tr>
<td>1117.Z3//MAC 5.1</td>
<td>Herbert, Richard</td>
<td>Boyer Planning</td>
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</table>

Additional material submitted

Document: Schedule of MACs
Policy: MAC 5.1
Summary: Objection to revised housing provision MAC 5.1

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<th>Item</th>
<th>Question</th>
<th>Representation Text</th>
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<tr>
<td>1.1</td>
<td>MAC reference</td>
<td>MAC 5.1</td>
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We are concerned over the changes that have been made to the plan in relation to housing provision. In the first instance that they have not helped to address its shortcomings and secondly updated evidence indicates that the plan is already falling short of its own monitoring requirements.

1. 2014 Joint Housing Land Availability Study
   
   In the first instance we note that important context for the Matters Arising Changes is provided by the Council’s recently released schedule for the 2014 JHLAS. It confirms that the Council have already fallen behind on completions (by around 115 dwellings) from the level that was indicated in their evidence for Hearing Session 19 and practically means that the plan is already failing to achieve its own requirements. We do not believe that it is a credible situation for a plan that is part way through examination to be already failing behind on its requirement. This confirms a clear problem with the land supply and assumptions being made.

   Furthermore, by April 2015 (8 months from now) all of the evidence presented during the LDP examination regarding lack of delivery and progress suggests that it will fail to achieve the completions target for the second year and require remedial action. This is a situation that is now compounded as a problem as the immediate “pipeline” supply of windfall sites are proposed to become allocations (site references H61, H62, H63 and H64). This is in addition to the windfall sites that have become allocations since the plan was placed on Deposit (H58, H59 and H60).

   Notwithstanding the completions information, it is plainly the case that given the new guidance from the WG, that sites that have been within the schedule for over 5 years will need to revert to 3(i) unless there is substantial evidence that it should remain. The WG have confirmed in writing to the HBF that an allocation is not enough to justify retention in the five year supply. Whilst the JHLAS process is underway and yet to be finalised, we would estimate that there will be in excess of 1,000 dwellings proposed within the 5 year supply by the Council that will be subject to dispute. For information, we attach our comments on the 2014 draft schedule.

2. 12% flexibility
   
   The explanation given for the Council’s flexibility allowance at Hearing Session 19 suggests that the 12% has not been correctly derived or applied.

   We note that the level of flexibility varied over the course of the hearings as the supply fluctuated. The only explanation given was at Hearing Session 19 whereby the Council indicated that the 12% derived from the 546 dwellings shortfall of the UDP, which equated to a 6% shortfall and that figure is then applied to the final two 5 year periods of the LDP (6% flexibility for the period 2016 to 2021 and 6% for 2021 to 2026). However, the 546 shortfall was actually a 7.3% shortfall of the UDP requirement (7,500) which if applied as the Council plainly intend should equate to a 14.6% figure. There is simply no value in identifying the UDP shortfall as a % of the LDP requirement as the Council have done as they are two separate plans with two separate requirements.

   Further, we do not believe it is credible to apply this only to a 10 year period when there are 12 years remaining and significant flexibility has already been required (with the numerous and significant changes to policy H1 that have taken place between December 2013 and now). Given that the latest JHLAS figures provided by the Council show the plan is failing already to deliver completions required, then it can only be the case that this should be increased. The practical implication of not achieving an appropriate level means that remedial action will be required. We consider that the initial shortfalls will cumulatively increase at a significant rate over the plan period as already ambitious targets are unlikely to be met due to inherent land supply short comings. This is plainly a highly unsatisfactory outcome for all involved in the process.

   Accordingly, if the Council’s explanation of flexibility is to be applied correctly, then the flexibility allowance should be a minimum of 14% and should be applied pro rata to the remaining 13 years (not 10) which would equate to around 18% (equalling a flexibility allowance of 1,863 not 1,273). This would at least take appropriate stops now in order seek to prevent an early review being required due to the assumption being incorrectly applied.

   We note that whilst a lower (10%) flexibility allowance may have been appropriate elsewhere, it is individual circumstances that must be the key factor. Indeed, the Caerphilly LDP sought to achieve 19% flexibility, but given the inherent problems with the identified land supply this failed to be sufficient, despite the assurances of the Council. In the case of Caerphilly this has led to significant abortive costs, delays and failure of house building with the associated economic benefits that accompany it. Such problems at Newport would be harmful to the LDP and the economy.

3. Windfalls
   
   We are very concerned over the reliance upon windfall sites and that the additional sites now proposed as allocations have the practical effect of actually reducing the “pipeline” source of windfall sites for the period from 2013 to 2016.
Indeed, the assumptions that are incorporated into the Council’s land supply regarding windfalls (95 per annum) are effectively double counted as the very sites that would have justified the assumption are now also made allocations. We discuss our concerns over individual sites separately.

Given that more windfall sites are now proposed to be allocated, there can reasonably be no windfall sites expected to contribute towards the supply between 2013 and 2016 given the timeframes involved and accordingly the assumption that 380 windfall sites will be delivered between these years (95 per annum) should now be removed and no reliance placed on this element of the supply.

4. Policy H1

We considered herein the consideration of existing sites and the changed circumstances surrounding each. We would note that we reiterate our concerns over other sites on the H1 list where we have previously identified concerns and we note that these will need to be considered in detail through the JHLAS process, accordingly we attach our comments on the Council’s draft schedule for ease of reference and completeness.

i. H3 (Llanwern Village) Given the changes to Policy H16 (in relation to transit Gypsy Sites) and increased status we cannot see how H3 (Llanwern Village) can credibly be relied upon. Indeed, the plan now envisages that the H16 site is developed by 2016.

It is plainly without credibility to now rely upon this housing site despite all of the evidence that has been presented including that of the promoter (Gallaghers Estates). In line with the evidence submitted it should only be relied upon optimistically to deliver 550 dwellings during the plan period not 1100, pessimistically it may remain undeveloped (as it did through the UDP period and to date).

ii. S106 sites: It remains our view that it lacks credibility to include as allocations or commitments sites that remain subject to s106. These are sites that have failed to secure planning permission previously and there is no evidence that suggested they can be relied upon now. Under proposed new TAN1 guidance such sites would be removed from the housing supply after 1 year;

iii. H55 (Jigsaw site) – suitable wording should be included within the plan in order for H55 to comply with Policy CE9 which requires that the loss of SINCs is entirely mitigated for.

We object to the inclusion of the following additional sites:

iv. H61 (Postal Exchange) is a site that comprises 0.2ha and would be developed at a density of 350 dwellings per ha to achieve the 70 that are envisaged. We note that Uskside Paint Mills (H64) is also 0.2 ha and it had 2 applications for 77 refused both of which necessitated a 14 storey town to accommodate that level of development.

Given the size of the existing building we cannot see that these figures are correct. Rather a realistic density would be around 50. In this regard it should be treated as a windfall site.

v. H63 (Telford Depot) – It is evident that this will be the location of the Estates Department until at least 2019. There is no firm indication that it will be released. Therefore clarification must be given over whether this site is actually available and if not.

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In any event, at 53 dwellings this can only realistically be considered as a windfall site if a viable scheme can be found.

Changes required to make the plan sound

There is plainly a requirement for unconstrained, deliverable and genuinely available housing land to be identified to ensure continuity of supply and to ensure that the ambitious targets can be met.

Based on our consideration of all matters, we believe the following changes are required in order to address the problems with the Matters Arising Changes:
1. The Council’s rationale on flexibility should be applied correctly and related to a 13 year period. This would require an additional 590 dwellings to be identified;

2. Given the proposed allocation of windfall sites, the additional inbuilt windfall assumption for the 4 year period 2013 to 2017 (380 dwellings) should be discounted and made up with new allocations.

3. In line with evidence presented by Gallaghers the H3 site should only be considered to provide 550 dwellings during the plan period; and

4. The policy in relation to H55 (the Jigsaw site) should be amended to be clear that it is reliant upon a mitigation measures being identified as mitigation for the loss of the SINC.

In order to address these deficiencies, in line with our previous objections and comments, land at Llwynhaid, Bettws should be allocated for c. 200 dwellings. The alteration to the settlement boundary, deletion of the Minerals safeguarding area, and removal from the SLA are consequential changes to the plan that would logically follow its allocation for development.

Given the problems identified, we consider that if the above points are not accepted then additional reserve sites should be identified at this stage in order to be promptly released for development when build rates and land supply fall below the level required. This will avoid a further costly and lengthy site identification process which would only be harmful to Newport and the LDP strategy.

3

Speaking at hearing session

Due to the significant policy issues raised in the attached Representation.

1117.Z4//MAC 2.6

Herbert, Richard
Boyer Planning - Cardiff
01/08/2014

Document: Schedule of MACs
Policy: MAC 2.6
Summary: Objection to revised SP6 MAC 2.6

Item Question Representation Text

1. MAC reference

2. Full representation
   It is strongly our view that each application should be considered on its own merits, and specific circumstances may exist where the increase in dwelling size by over 30% may not have a negative impact upon the openness of the Green Belt. Accordingly, we feel that flexibility ought to exist for such occasions in line with PPW 4.8.16

   Change required to make the Plan Sound
   Ensure that plan requirement is in line with PPW para 4.8.16.

3. Speaking at hearing session
   Due to the significant policy issues raised in the attached Representation.

15/08/2014
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<td>MAC 2.7</td>
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<td>2</td>
<td>Full representation</td>
<td>It is strongly our view that each application should be considered on its own merits, and specific circumstances may exist where the increase in dwelling size by over 30% may not have a negative impact upon the openness of the Green Belt. Accordingly, we feel that flexibility ought to exist for such occasions in line with PPW 4.8.16</td>
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<td>Speaking at hearing session</td>
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| 1    | MAC reference | Herbert, Richard: "We object to the exclusion from this text of reference to the two gypsy traveller sites H15 and H16. These are important components of this area in the future and see no reason why they should be excluded from the wording of this section. Specific reference should be made to the two sites within the policy wording itself. Indeed, H15 and H16 are large sites totalling over 10 ha which the plan intends are providing Gypsy and Traveller Accommodation by 2016. Given the additional population that will therefore be located within this part of Newport as a result of the traveller pitches they plainly form an important part of the area and will use infrastructure including the schools, local centres etc. that are associated with Llanwern Steelworks and the Llanwern Village site. In this regard they will form an important part of the community. In relation to the Jigsaw site it should be explicit that this is a SINC and compliance with Policy CE9 is required. In this regard the policy should be clear that a suitable mitigation site will need to be identified prior to the development of the Jigsaw site. In dealing with this area as a whole it is important to note that the evidence provided to the Examination indicates that a lower amount of completions would be expected from the H3 (Llanwern Village) site when all of the relevant allocations are taken as a whole. We have set out our concerns on this in our objections specifically in relation to H1."
| 3    | Speaking at hearing session | Yes |

Due to the significant policy issues raised in the attached Representation.
### Mater Arising Changes Representations

<table>
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<tr>
<th>Document: Schedule of MACs</th>
<th>Policy: MAC 2.21</th>
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<tr>
<td>Summary: Objection to revised Policy SP21 MAC 2.21</td>
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#### Item 1

**MAC reference**: MAC 2.21

**Full representation**:

The policy wording of SP21 in its present wording indicates that "The plan will fulfil its contribution towards the Regional Demand". However, 2.88 indicates that there is no requirement for Newport to make specific provision for the supply of aggregates based on limited availability of resources and demand.

Accordingly we do not consider it appropriate to identify large areas of the County as potential mineral resources with no evidence prepared and submitted as to whether they are viable or achievable. This is contrary to the relevant tests of soundness which require robust evidence based policies.

**Speaking at hearing session**

Due to the significant policy issues raised in the attached Representation.

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### Mater Arising Changes Representations

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<th>Policy: MAC 2.22</th>
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<tr>
<td>Summary: Objection to revised supporting text of Policy SP22 MAC 2.22</td>
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#### Item 2

**MAC reference**: MAC 2.22

**Full representation**:

The policy wording of SP21 in its present wording indicates that "The plan will fulfil its contribution towards the Regional Demand". However, 2.88 indicates that there is no requirement for Newport to make specific provision for the supply of aggregates based on limited availability of resources and demand.

Accordingly we do not consider it appropriate to identify large areas of the County as potential mineral resources with no evidence prepared and submitted as to whether they are viable or achievable. This is contrary to the relevant tests of soundness which require robust evidence based policies.

**Speaking at hearing session**

Due to the significant policy issues raised in the attached Representation.

---

15/08/2014
Herbert, Richard
Boyer Planning - Cardiff
01/08/2014
E O M

Document: Schedule of MACs
Policy: MAC 10.1
Summary: Objection to revised Policy M1 MAC 10.1

1 1 MAC reference

2 2 Full representation

We object to the blanket coverage of land with policy M1 designations. We consider that this approach fails the relevant tests of soundness where there is no evidence that such designations are achievable or deliverable and that they would not conflict with other policies of the plan in relation to transport and environmental considerations. Absent any such evidence it is not sound to identify these areas rather the Authority should produce evidence that such sites would be achievable.

Indeed, TAN 22 is clear that part of the evidence base should relate to the present land bank. There are significant swathes of land identified in the north eastern part of Newport that would adjoin the existing quarry. These would plainly be the starting point in light of existing infrastructure and links.

Furthermore there is presently no actual requirement for these under existing guidance which suggests that no requirement is apportioned to Newport.

Specifically in relation to areas identified, where our clients are landowners, there are numerous constraints. These include in relation to land at Llwynhaid (Bettws):
- land ownership constraints. The sites are not available for such uses;
- existing residential access roads are unlikely to be suitable for the associated long term and heavy freight movement;
- proximity to residential existing residential properties sterilises large elements of the identified areas and appropriate buffers should be incorporated where no quarrying would be appropriate;
- topography, landscape considerations and physical implications of extraction further impact upon the likely areas;
- other likely physical impacts upon nearby businesses and properties including potential adverse health impacts upon communities within 1km of any quarry and dust impacts from drilling.

Plainly there are a large number of constraints to the areas identified that would need to be addressed if there is any credibility or robustness to the policy.

Changes required to make the Plan sound

The wording of Policy M1 should be amended such that there is an “or” in between points ii) and iii). It is not possible for both to be complied with which is suggested by its present wording.

The proposals map should be altered to focus any minerals safeguarding areas in the north eastern parts of the City associated with existing works.

3 3 Speaking at hearing session

Due to the significant policy issues raised in the attached Representation.
Please find below the two paragraphs that are needing amendments from those in the current NCC LDP consultation. I can confirm NCC where informed of the new safeguarded route on 17/07/14 and the GIS data was sent to them on 21/07/14 as the 2014 Preferred Route.

The constraints map will also need updating, but as far as I can tell there is no impact on any of the areas designated in the LDP for development by NCC.

Paragraph 2.58 2nd sentence should be reworded slightly

By the end of 2016, the Welsh Government and Newport City Council plan to have completed improvements designed to ease congestion at this strategic junction.

Paragraph 2.66 should be completely reworded following the announcement from Edwina Hart on 16/07/14 and the constraints map updated.

The proposed M4 Relief Road between Junction 23A at Magor and Junction 29 at Castleton is not being progressed in the Welsh Government’s National Transport Plan (2010). The direction to consult the Welsh Government on any planning applications affecting the route is still in place and the safeguarded route has been identified as a constraint on the constraints map. Funding has been made available for M4 Corridor Enhancement Measures, and extensive studies are being undertaken to identify the most appropriate measures. The National Transport Plan priority list (2011) sets out an ongoing commitment for the package of measures to deal with resilience, safety and reliability issues on the M4 around Newport (NTP Ref 91).

The Welsh Ministers adopted the M4 Corridor around Newport Plan on 16th July 2014. The main element is a new section of three lane motorway between Junction 23 and 29 to the South of Newport. The Plan includes complementary measures of reclassifying the existing M4 between Magor and Castleton; an M4/M48/B4245 Connection; providing cycle friendly infrastructure and providing walking friendly infrastructure. A direction to consult the Welsh Government on any planning applications affecting this corridor is in place and the safeguarded corridor has been identified as a constraint on the constraints map.
Matters Arising Changes Representations

Document: Schedule of MACs
Policy: MAC 5.8
Summary: Objection to Gypsy and Traveller accommodation MAC 5.8 and 5.9

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<td>MAC reference</td>
<td>MAC 5.8 and MAC 5.9</td>
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<td>2</td>
<td>Full representation</td>
<td>The reasons why our client objects to MAC 5.8 and our concerns relating to the sustainability appraisal area set out in full in the attached statement and legal opinion. These documents should be read together. Further changes required to make the plan sound are also outlined. To confirm, our client supports the MAC 5.9, which proposes the deletion of the former Ringland Allotments as a contingency residential gypsy and traveller site.</td>
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<td>3</td>
<td>Speaking at hearing session</td>
<td>Yes</td>
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<td>Our client considers it necessary to speak at any future hearing session on this matter. It is essential that our client is able to participate in future discussions on this matter given that they are directly affected by the proposed changes.</td>
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<td>Full representation</td>
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<td>MAC 2.6 Green Belt and MAC 2.7 Green Wedge:</td>
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### Matters Arising Changes Representations

**Document:** Schedule of MACs

**Policy:** MAC 2.9

**Summary:** Objection to MAC 2.9 House Building Requirement and MAC 5.1 Housing Sites

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<td>MAC 2.9 and MAC 5.1</td>
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We are a firm of Chartered Surveyors established in Newport in 1960 that operates mainly in the Newport and South East Wales area, managing Clients’ landholdings and promoting sites for development, contributing over 2500 residential units during that period from single plots to sites of over 150 units. We specialise in assembling land, securing planning permission for various uses and bringing sites forward that are immediately available, often with access and services constructed in advance so that development can proceed without delay.

On behalf of our clients we provide the following representations relating to:

- MAC 2.9 House Building Requirement
- MAC 5.1 Housing Sites
- Flexibility Allowance

There should be an element of flexibility in the housing land supply. This is a fundamental component of any housing land supply estimate to reflect the fact that not all sites with planning permission or allocated in the Plan will be developed either in whole or in part within the Plan period.

It is imperative that there is a clear and concise approach to the application of a flexibility allowance, and it is considered that Newport currently do not provide an appropriately evidenced basis to do so. In fact the proposed allowance has varied over the LDP process and whilst it is suggested that 12% is appropriate, this again is only set over a 10 year period, rather than the full LDP period. Therefore due regard should be had to providing an appropriate allowance (suggested higher than 12%) particularly given that an allowance for non-implementation is significantly more important when considering the needs within the area and the number of UDP sites that have remained undeveloped due to constraints.

Policy H1

In relation to Policy H1 we consider that the previous concerns raised are relevant and still stand:

- The sites identified as being available during the plan period will not deliver the necessary completions. Many have been around for some considerable time and are subject to constraints that there is no indication can be overcome;
- The estimation of delivery at Llanwern Village is significantly overstated when based on historic delays, constraints and progress to date. This is further compounded by Policy H16 (Transit Gypsy Sites);
- Traditionally when Newport has achieved high levels of housing completions it has been on a range of sites of varying sizes and types across the city. We do not consider that this range exists within the LDP, rather it is concentrated to the east and City centre and on larger sites. Indeed, it is considered that the LDP remains reliant upon dwellings being provided at brownfield sites that are subject to a range of constraints and have historically failed to deliver. Planning Policy Wales (9.2.3) is clear that “sites must be free, or readily freed, from planning, physical and ownership constraints, and economically feasible for development, so as to create and support sustainable communities where people want to live. There must be sufficient sites suitable for the full range of housing types”;
- There is a shortage of land available to suit all communities. There are settlements and communities outside of the main urban area that require additional housing to accommodate their natural growth;
- Some of the new sites (namely H55 – Jigsaw Site) require the loss of a significant amount of a SINC, and therefore need to accord with other policies (the evidence is not provided);
- There is a shortage of genuine new build executive housing in Newport that is required to attract employers and managers needed to boost employment levels;
- An element of supply is subject to s106 agreements being signed. Given the already significant delays such sites cannot be robustly considered to be deliverable; and
- There is no flexibility allowance for non-implementation which is likely to be a significant problem.

Furthermore we are also aware of the additional sites proposed by Newport and we provide the following objections to their inclusion:

- H61 (Postal Exchange) - Given the tight nature of the site (0.2ha) it is not realistic to suggest that the site would be capable of delivering 70 dwellings which would either result in a ‘crammed scheme’ or be to the detriment of amenity and infrastructure.
- H63 (Telford Depot) – we are aware that the Newport Estates Department (now Newport Norse) will be utilising the site until 2019 at least. Even then there is no clear evidence that the site will be
Matters Arising Changes Representations

H64 (Uskside Paint Mills) – We are aware that the site has been subject to a number of refused planning applications for residential development and question the appropriateness of allocating a site on this basis.

Analysis of the Matters Arising Changes reveals that there is a significant concern over small sites and windfall sites. This is particularly relevant as it is evident that the Authority seeks to allocate windfall sites which have been used as the justification of the 95 dwellings per annum requirement. This is illogical and will inevitably reduce the windfall allowance over the initial plan period and will not be replaced with those genuine windfall sites. We would note that such reliance is unsound.

In order to make the Plan Sound the following changes are required:

- Clear evidence and approach to the flexibility allowance for Newport over the full plan period;
- The full assessment of the windfall allowance;
- Full and proper assessment of the proposed allocation sites as it is considered that they are unsuitable;
- The need to provide a wide range and choice of housing and not the continued reliance on brownfield land. This is essential to ensure an adequate supply of land, retain local families and young people. Constraining supply to brownfield would inevitably result in a very unbalanced community profile contrary to the aims and objectives of the LDP.

The allocation of the land at Risca Road, Rogerstone in Policy H1 for 35 dwellings along with the consequential alteration to the settlement boundary and removal from the green wedge is requested.
Document: Schedule of MACs
Policy: MAC 2.10
Summary: Objection to MAC 2.10 SP11 Eastern Expansion Area

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**Item** | **Question** | **Representation Text**
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1 | MAC reference | In relation to the Eastern Expansion Area we object to the exclusion of H15 and H16 gypsy traveller sites from the text as the Authority have plainly considered that they form part of the future of the area and will utilise the existing and proposed infrastructure.

Furthermore in regard to the Jigsaw site there is a clear requirement that under Policy CE9 the site and the impacts upon the SINC have to be taken into consideration.

Also as noted in representation to Policy H1 we raise concerns over the lower amount of completions that would be expected from the H3 (Llanwern Village) site given the presence of the H15 and H16 allocations.

2 | Full representation | No
### Matters Arising Changes Representations

**Document:** Schedule of MACs  
**Policy:** MAC 15.5  
**Summary:** Objection to MAC 15.5 Green Wedge between Risca and Rogerstone

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<td>MAC 15.5</td>
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<td>2</td>
<td>Full representation</td>
<td>We note that Newport City Council have acknowledged that the Green Wedge in its previous form was unnecessary and not related to the pattern of development. To that extent we welcome the reduction in size of the area identified. However, we continue to object to the green wedge between Ringerstone and Risca in its present form, it still does not relate to any evidence, it does not properly relate to the Caerphilly Green Wedge nor does it comply with the relevant requirements set out within PPW (section 4.8) and in particular that such designations: “must be soundly based on a formal assessment of their contribution to urban form” Indeed, there is no evidence or review of Green Wedges prepared as part of the evidence base for the Newport LDP, however in their MAC the Council indicate that this Green Wedge should lie in with the equivalent at Caerphilly. It is therefore vitally important to consider the review of Green Wedges prepared by Caerphilly County Borough Council as part of the evidence for their LDP. This is the only source of evidence in relation to the Risca / Ringerstone Green Wedge that we are aware of. In relation to the part of the Green wedge in Caerphilly, the evidence (prepared by TACP) states that the main purpose of the designation (figure 1) is to “preserve the integrity of the settlements of Risca and Ringerstone”. Plainly therefore given the existing gap between settlements (480 m) as shown in figure 2, there is no practical purpose for a green wedge to be drawn that is significantly larger. We consider that there is no requirement for the remainder of the green wedge which would be well beyond the existing separation between Risca and Ringerstone and serve no purpose in terms of prevention of coalescence which is plainly the purpose of the Caerphilly Green Wedge. The area identified as Green Wedge should be reduced accordingly in a manner that would be consistent with the Caerphilly LDP (as set out in our figure 3) in its requirement to maintain the gap between Risca and Ringerstone which stands at 480 metres.</td>
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### Matters Arising Changes Representations

**by:** (No grouping)

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Document: Schedule of MACs

Policy: MAC 6.1

Summary: Objection to deletion of site to the South of Llanwern and reference to previous representations submitted

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**Item** | **Question** | **Representation Text**
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1 | MAC reference | MAC 6.1 MAC 15.1

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**Additional material submitted**
This statement has been prepared by GVA on behalf of Tata Steel UK Ltd (Tata Steel) in response to the Matters Arising Changes Consultation (MAC) which sets out details of changes proposed in response to matters emerging through the Newport Local Development Plan examination and the Inspector’s questions and actions arising in the Hearing Sessions held as part of the examination of the LDP. This letter accompanies the relevant completed Matters Arising Change Consultation Response Form and should be read in conjunction with all previous representations made to the LDP process on behalf of Tata Steel.

Introduction and Context

As the Council is aware, GVA has consistently made representations to the various stages of the LDP preparation process on behalf of our client in response to its operational landholding to the south of Queensway at Llanwern which extends to a total of approximately 343 hectares. In particular, we would refer you to GVA’s representations to the following consultation stages of the emerging LDP:

- Preferred Strategy Consultation (January 2010) (GVA Document Reference: GVAG/07A816677/PS);
- Deposit LDP Consultation (June 2012) (GVA Document Reference: GVA/07A816677/DLDP);
- Alternative Sites Consultation (August 2012) (GVA Document Reference: AS(D)009);
- Revised Deposit LDP Consultation (July 2013) (GVA Document Reference: GVA/07A816677/RDLP), and

These representations are all attached for ease of reference. In summary, the representations have consistently sought to achieve the following:

- Secure recognition of the Tata Steel owned land at Llanwern as a gateway to Newport and south east Wales for new, improved and replacement employment, business and commercial facilities;
- Highlight the substantial opportunity provided by the Tata Steel owned land at the ‘Llanwern Former Tipping Area’ to the south of Queensway to accommodate a full mix of uses and activities over the lifetime of the LDP and reflect the changing nature of this key gateway location, and
- Secure the land comprising the reed bed system (an integral and important part of the operational steelworks) within the settlement boundary.

The potential for the land to accommodate a mix of existing and new employment opportunities was clearly recognised by the Council and demonstrated in its decision to originally allocate 122 hectares as a Regeneration Site under EM2 (ii) (Llanwern former tipping area south of Queensway for B1, B2 and B8 use) as shown on the Revised Deposit Plan Proposals Map. This allocation supported the principle of development and, as such, provided the necessary flexibility for the expansion of existing employment uses and for future operations, subsequently enabling the sustainable growth of this important employment site within Newport.

As you will recall, our most recent representations (submitted in October 2013) welcomed the partial allocation of the land identified under EM2 (ii) to the south of Queensway but sought to amend the settlement boundary to include the remainder of our client’s operational land in this area (extending to a total of approximately 343 hectares) as part of this allocation. However, it would appear that these representations have not been taken into consideration.

We are very disappointed and, quite frankly, shocked to be notified that the Council now proposes to delete the former regeneration Policy EM2 from the plan, under the Schedule of Matters Arising Changes (reference MAC 6.1) to the emerging Newport LDP.

We note that the land extending to some 39.5 hectares and previously referred to as ‘Llanwern Former Steelworks Eastern End’ is now proposed to be identified as an employment allocation under Policy EM1 ( vii) and referred to as ‘Celtic Business Park (Llanwern former steelworks eastern end) – 35.5 hectares for B1, B2 and B8 uses’. We are informed that this new allocation has been reduced by some 4 hectares in order to safeguard land under Policies SP11 and Policy T1 for a proposed Park and Ride facility to serve the proposed Railway Station.

Alarming, however, our client’s land, extending to some 122 hectares and previously referred to as ‘Llanwern Former Tipping area south of Queensway’, is to be deallocated as a ‘Regeneration Site’ and, furthermore, excluded from the settlement boundary under the Schedule of Matters Arising Changes (reference MAC 15.1). As a result, this land will be located within an area of ‘countryside’.

It is in this context that we respond and strongly object to the Matters Arising Changes to re-emphasise the importance of this land, the rationale of our previous submissions, and outline the representations. Put simply, it is not considered logical or acceptable to exclude this existing employment land from the defined settlement boundary, thus subjecting it to restrictive countryside policies. In our opinion, this ignores the substantial opportunity provided by our client’s land to accommodate a full mix of uses and activities over the 15-year lifetime of the LDP and reflect the changing nature of
It is our view that without the changes sought within these representations, the emerging LDP continues to fail the following tests of soundness:

- CE1 – as the plan will not comprise a coherent strategy from which its policies and allocations can logically flow;
- CE2 – as the policies, and in particular allocations, are not realistic and do not fully consider the relevant alternatives and all credible evidence; and
- CE4 – in that the plan will not be flexible enough to deal with changing circumstances over the plan period – particularly in respect of the Tata Steel land south of Queensway, Llanwern, which will be at the centre of transformation associated with the East Newport Expansion.

We set out below our detailed representations, together with the alterations and amendments required to make the LDP sound.

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### Matters Arising Changes Representations

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Document: Schedule of MACs
Policy: MAC 6.1
Summary: Grave concerns over the deletion of the land to the South of Llanwern steelworks.

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Objection to the removal of Policy EM2 & exclusion of land from settlement boundary

We are extremely concerned that the land extending to some 122 hectares and formerly referred to as ‘Llanwern Former Tipping Area South of Queensway’, which we are informed has been in employment use for some 40 years and has consistently been allocated for B1, B2 and B8 uses within the emerging LDP, is now proposed to be de-allocated and excluded from the settlement boundary following the proposal to completely remove Policy EM2 from the LDP. In our view, such a decision is considered illogical and short-sighted given that the land is currently in employment use with occupiers such as Tarmac (Western) Ltd, Air Products Ltd, Wedge Group Galvanizing Ltd and Civil & Marine Slag Cement Ltd that will no doubt be affected by this proposal. In addition, we are informed that our client still holds a waste management PPC license for this area south of Queensway. The land provides the potential opportunity for Newport to secure large scale employment generating development over the period of the LDP which will be of a prestigious nature for the City. The importance of such potential should not be unduly lost by the deletion of the site.

It is also important to note that this employment land lies alongside the safeguarded route for the proposed M4 relief road. This area could, over the life of the LDP, experience significant change and transformation and be well placed to deliver employment development of national significance as new opportunities emerge. It is therefore considered important to safeguard such an opportunity, which cannot be delivered elsewhere (within such proximity to the M4) so that this opportunity is not lost.

It is clear from the Council’s Response Statement (Document Reference EDO11.1) to the LDP examination that the Council agreed that the former regeneration allocation of this land was wholly appropriate. Indeed, we would like to take this opportunity to refer to Paragraph 3.6 on Page 12 of this statement which specifically states:

“The Council considers it appropriate that the regeneration allocation for mixed use employment remains as this is considered the most appropriate use”.

We are very concerned that the exclusion of the land from the defined settlement boundary, thus subjecting it to the countryside policies of the LDP, is likely to restrict the existing operations from expansion, hindering any potential to maintain, grow and develop business in this area. For the purposes of the LDP, it is clear that any land that lies outside the defined settlement boundaries is considered countryside. Inevitably, in accordance with proposed LDP Policy SP5 and Planning Policy Wales (PPW), the Council will control development in the countryside in order to promote sustainable forms of development and to protect the quality of the natural environment.

On a further note, we also consider it imperative that land situated to the east of this former allocation, and presently located within a designated Special Landscape Area, be included within the settlement boundary. Previous representations submitted on behalf of our client at the Deposit LDP consultation (April 2012), Revised Deposit LDP (July 2013) and Alternative Site Consultation (October 2013), all welcomed the former allocation of the ‘Llanwern Former Tipping Area south of Queensway’, but outlined in greater detail the significance of including this land within the settlement boundary, given that it is part of the operational area of the Llanwern Steelworks. Such land comprises the reed bed effluent treatment system, a combined effluent and surface water drainage system, a pumping station, lagoons and the National Grid Substation that form an integral and important part of the operational steelworks situated to the north of Queensway. Simply put, the steel works is reliant on the continued use of this system to discharge, and treat, all surface water and foul sewage produced by the works. The reed bed area at Greenmore, to the south of Queensway, is therefore part of the industrial operations that take place at the site, and, as stipulated in our earlier representations, should also be included within the settlement boundary. Furthermore, the land is used for materials processing operations and as a civil engineering storage area for the steelworks. It is not logical to exclude such operational industrial land from the settlement boundary. Such amendments to the settlement boundary would avoid any potential conflict that will likely arise should repair or maintenance be required within this area given the likely policies of restraint associated with the Undeveloped Coastal Zone and SLA designations.

Conclusion and Recommendations

This statement has clearly reiterated the significance of our client’s landholding which is referred to as the ‘Llanwern Former Tipping Area south of Queensway’. It has outlined the genuine concerns and potential impacts associated with the proposed changes to the LDP as set out in the Schedule of Matters Arising Changes and emphasised the likely constraints and implications this change will have on our client’s landholding and operations.

In summary, we consider that the following amendments are required to the Revised Deposit Plan in order to rectify this situation:

- Reinstate the land originally referred to as ‘Llanwern Former Tipping Area South of Queensway’ as an employment allocation (suitable for B1, B2 and B8 use) under Policy EM1. In light of the adopted Welsh Government plan for the M4 corridor around Newport, we note that the ‘Preferred Route’ for the relief road will pass directly through this land. Consequently, we would expect the supporting text to this Policy to mirror that described within the supporting text to
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<td>Policy EM1 (ii) ‘East of Queensway Meadows, south of Glan Llyn’ and highlight that the development of this area is affected by a Welsh Government Direction safeguarding the route of the M4 relief road, with development proposals needing to reflect this.</td>
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<td>☐ Redrawing the defined settlement boundary to re-include the employment land originally referred to as ‘Llanwern Former Tipping Area South of Queensway 122 hectares of land for B1, B2 and B8 uses’ in addition to the land east and west of this former allocation as requested in our previous representations (reference GVA/07A816677/RDLP and GVA/07A816677/ASLDP respectively) to ensure that the reed bed systems to the south of Queensway are included within the settlement boundary limits, and</td>
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<td>☐ Associated removal of undeveloped Coastal Zone and Special Landscape Area (SLA) designations to the land which is to be included within the realigned settlement boundary.</td>
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We continue to emphasise that such an approach would overcome our objections and provide a coherent and sound local development plan for the City of Newport.

We trust this is clear and look forward to hearing from you.

We understand that the Inspector may decide that further hearing sessions are considered necessary. As confirmed on the enclosed completed representation form, we would want to speak at such a session to discuss this important matter. However, given the significance of these proposed Matters Arising Changes and our strong objections to them, we would welcome the opportunity to meet and discuss this matter with you at the very earliest opportunity.

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<th>3 3 Speaking at hearing session</th>
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Document: Schedule of MACs
Policy: MAC 15.2
Summary: Objection to the deletion of Redwick village boundary MAC 15.2

I would like to make a few comments in regard to the above mentioned changes proposed by Newport City Council.

The villages in reference have had their boundaries for many many years and Newport City Council’s proposal to remove the boundaries of all the proposed villages and have them classified as being “countryside” is not only unjustified but is immoral. It has taken a long time for Newport City Council to show any kind of transparency in stating that Newport City Council do not want any development in any of the proposed villages of any kind, a statement that I find reflects a mindset that can only be described as stupid bordering on the ridiculess, a mindset that is antiquated and far from the wishes of the village residents. These villages have been starved of development for many years, there are small parcels of ground that have been available for a long time.

Newport City Council’s score point system has a lot to be desired in as much, that the score seeks to downgrade village due to lack of development, clearly it is Newport City Council’s intention that no suck development takes place and the score point system is an attempt to justify re-classification of the villages to countryside, take for example the village of Redwick. Redwick has many small parcels of ground that does not enhance the village at all, these small parcels of ground should be development with good quality housing. Newport City Council’s score point system shows that there is no local shop or school, that is correct and is due to the conflict Newport City Council has created with a policy of “no development” and a score point system that denies development.

The score point system also shows that there is no bus stop in Redwick, but the Policy Document have failed to mention that up to November 2011, there was bus stops in the village. The first bus stop is located opposite a residence known as “The Beeches” which includes a bus shelter and bench dated 1951. The Department also fails to mention that a bus service number 62 from Newport – Redwick exists, a service that is a “hail and ride” service and a service that is better is some ways to that of a taxi, furthermore it is a service in Redwick and I would suggest that a suitable timetable is made available at the bus shelter opposite “The Beeches” residence for visitors and or residential information.

I would there conclude that the Village of Redwick is entitled to keep its boundary and should be included in the Local Development Plan and extend to cater for new developments / builds.
### Matters Arising Changes Representations

**Rep'n/Para/Policy** | **Agent** | **Accession No** | **Date Lodged** | **Late?** | **Source** | **Type** | **Mode** | **Status** | **Status Modified**
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1429.Z1//MAC 2.1 | Network Rail | 01/08/2014 | M | E | C |  |  |  |  

**Document:** Schedule of MACs  
**Policy:** MAC 2.10  
**Summary:** Comments on the wording of revised Policy SP11 MAC 2.10

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MAC 2.10 – Policy SP11 – Eastern Expansion Area:  
Reference is made within paragraph 2.42 to the construction of a railway station (including park-and-ride service) at Llanwern to improve accessibility to the area, together with a north-south link across the railway.  
Any proposals for a new railway station together with any proposals to construct structures across the railway line must be subject to early discussion with Network Rail. This should be made explicit within the text to Policy SP11. |
| 3 | Speaking at hearing session | No |

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1429.Z2//MAC 2.1 | Network Rail | 01/08/2014 | M | E | C |  |  |  |  

**Document:** Schedule of MACs  
**Policy:** MAC 2.13  
**Summary:** Comments on revised Policy SP13 MAC 2.13

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Whilst reference is made within this policy to the potential for developer contributions to be used towards improvements to public transport a clear reference should be made to this including rail infrastructure to ensure that development contributions are secured to deliver improvements to the rail network where appropriate. Network Rail highlights that many stations and routes in Newport are operating close to capacity and a significant increase in patronage as a result of development allocations within the Plan could create the need for upgrades to the existing infrastructure, secured through developer contributions. |
| 3 | Speaking at hearing session | No |

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Savills is instructed, on behalf of St. Modwen Developments Limited ('SMDL'), to make comments on the Matters Arising Changes (MAC) consultation stage of the Local Development Plan (LDP).

As you will know, Savills has submitted comments to all stages of the LDP process and attended a number of sessions of the Examination. We are generally pleased with the progress being made with the LDP, and with one significant caveat, with what the plan says and proposes. The caveat is (or remains) the overall level of housing growth proposed for the City over the plan period.

For reasons which should be clear, this does not come from a resistance to growth (that is not in SMDLs or Savills DNA) but from the need to identify a strategy that balances ambitions with delivery and consequences.

At the later sessions of the Examination, this point was recognised and it was clear that because of the high economic (or employment) growth forecasts that drove housing requirements, provisions for monitoring would have to include job growth and connect it to housing levels. The clear logic was that job growth needed to be linked to housing requirements – so if more or less jobs were created in a specified period, more or less housing would be required in a specified period.

The revised section 12 goes someway towards that position, by identifying under objective 3 (MT3) the number of jobs that the Council expects to create in each year of the plan period. However, this is not expressly linked to objective 4 (MT3) which shows the number of homes to be delivered on a yearly basis. In our view linking these two indicators is critical if the approach broadly agreed at examination is to be built into the plan. This could be done in a number of ways, but the most straightforward would be to align the two trajectories either side by side or on the same graph in the monitoring section of the plan. This may be too simplistic or we may need to build in a slight lag (or revise the trigger point for review into three or five year blocks).

However, given the significance of employment growth to housing growth, there must be a tighter and more explicit procedural link between these two indicators. Without this link, the plan could be unfairly tested, judged or penalised in a way that would lead to the wrong decisions or corrective measures being applied. An obvious example would be that if housing delivery targets were not met for any reason, it would clearly be wrong to allocate more housing land if employment growth levels were not met.

We also consider that the singling out of Llanwern Village and Glan Llyn (MT4 and MT5 in the monitoring table below Objective 3) is inappropriate. There is nothing sinister in this - these are big sites but they are not the only big sites (or the only sites that the plan will rely on). A focus on general or total citywide completions is much more suitable for monitoring purposes especially as - with the exception of the travellers and gypsy sites - there is no other sub city wide breakdown in the monitoring targets.
Full representation

MAC 5.8 - Policy H15
MAC 12.1 - Monitoring Targets

I am aware that changes are proposed to the Local Development Plan as a result of the recent public examination hearing meetings, and I would request that you take into account my following comments on the changes relating to the Gypsy and Traveller transit site allocation.

Although only a small section of the LDP, you will be aware from the volume of previous correspondence that this is a very sensitive topic.

It is noted that MAC 5.8 seeks to delete the proposed Celtic Way Gypsy and Traveller transit site, a recommendation I totally agree with given the industrial prestige of the surrounding area and its potential to attract high quality businesses.

Throughout the development of Newport's LDP, the Council has received clear unequivocal advice from the Welsh Government that our Plan must meet our housing needs, including those of the Gypsy and Traveller community. It is therefore of considerable concern that other South East Wales Authorities have not been provided with the same advice. Cardiff City Council's Deposit LDP does not allocate any pitches to meet its identified transit site need, and yet this has not received a strong objection from the Welsh Government regarding the soundness of their plan. Instead it is noted that this matter could be addressed at a regional level in a future Strategic Development Plan. A very similar response has been provided to the Vale of Glamorgan Council in relation to its plan.

As a Newport City Councillor, I fully support the regional approach to transit site provision now advocated by the Welsh Government, and would request that the same approach is taken for Newport.

Planning for a transit site at a regional level involving the Vale, Cardiff, Newport and Monmouthshire is a far more appropriate response to this regional-scale topic, and would also result in a more efficient use of scarce public funding to deliver the sites to meet the South East Wales region's needs. It would also mean that Newport City Council is not treated unfairly in comparison to neighbouring Authorities.

I would therefore request that the LDP be amended to delete the Gypsy and Traveller transit site allocation and instead a monitoring target introduced to allow for transit sites to meet the regional need to be planned and delivered on a regional basis as advocated by the Welsh Government and emerging Planning Bill.
Full representation

Please find attached our duly completed representation forms for the Matters Arising changes consultation. These are submitted on behalf of our clients, Mrs H.E Murray (1666).

On behalf of our clients, we specifically object to the following MAC’s:

- MAC 2.9 House Building Requirement;
- MAC 5.1 Housing Sites;
- MAC 2.6 Green Belt;
- MAC 2.7 Green Wedge;
- MAC 2.10 Policy SP11 Eastern Expansion Area;
- MAC 2.21 Minerals;
- MAC 2.22 Minerals; and
- MAC 10.1 Minerals.

Our representations are prepared in the context of the Planning and Compensation Act (2004) and the requirement in section 64(5)(b) for the Plan to be sound. Based on the evidence presented, the significant number of changes and the inconsistencies within the plan we do not believe that the LDP can be considered to be sound.

It is strongly our view that there is further remedial action required in order for the plan to be found sound. Our principle concern is in relation to housing provision. The number of dwellings actually identified for development within the revised dLDP (since it was placed on deposit) has fallen by over a thousand but it has been replaced by an increase in windfall sites assumptions, allocation of other potential windfall sites and reliance upon delivery assumptions that are already falling behind the requirement.

We consider that the practical effects of the plan in its present form will be to restrict housing development in the same way as during the UDP period (whereby there was an insufficient land supply in 12 out of the 15 years it covered). Given the changes already required and variation in key components in the plan, we consider that there is a lack of credibility and robustness, this is emphasised by the recently released draft 2014 JHLAS schedule which shows a shortfall of completion rates already and we consider this is particularly the case against the backdrop of other failed LDP’s where similar assumptions were made against the evidence presented by those representing industry.

Accordingly, we recommend a number of changes within our representations that we believe would remedy the problems.
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<tr>
<th>Rep'n/Para/Policy</th>
<th>Representor</th>
<th>Agent</th>
<th>Accession No</th>
<th>Date Lodged</th>
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<td>1666.Z2//MAC 2.9</td>
<td>Murray, Mrs H E</td>
<td>Boyer Planning - Cardiff</td>
<td>01/08/2014</td>
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Document: Schedule of MACs

Policy: MAC 2.9

Summary: Objection to revised Policy SP10 MAC 2.9

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<td>1</td>
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</table>
We are concerned over the changes that have been made to the plan in relation to housing provision. In the first instance that they have not helped to address its shortcomings and secondly updated evidence indicates that the plan is already falling short of its own monitoring requirements.

1. 2014 Joint Housing Land Availability Study

In the first instance we note that important context for the Matters Arising Changes is provided by the Council’s recently released schedule for the 2014 JHLAS.

It confirms that the Council have already fallen behind on completions (by around 115 dwellings) from the level that was indicated in their evidence for Hearing Session 19 and practically means that the plan is already failing to achieve its own requirements. We do not believe that it is a credible situation for a plan that is part way through examination to be already falling behind on its requirement. This confirms a clear problem with the land supply and assumptions being made.

Furthermore, by April 2015 (8 months from now) all of the evidence presented during the LDP examination regarding lack of delivery and progress suggests that it will fail to achieve the completions target for the second year and require remedial action. This is a situation that is now compounded as a problem as the immediate “pipeline” supply of windfall sites are proposed to become allocations (site references H61, H62, H63 and H64). This is in addition to the windfall sites that have become allocations since the plan was placed on Deposit (H58, H59 and H60).

Notwithstanding the completions information, it is plainly the case that given the new guidance from the WG, that sites that have been within the schedule for over 5 years will need to revert to 3(i) unless there is substantial evidence that it should remain. The WG have confirmed in writing to the HBF that an allocation is not enough to justify retention in the five year supply. Whilst the JHLAS process is underway and yet to be finalised, we would estimate that there will be in excess of 1,000 dwellings proposed within the 5 year supply by the Council that will be subject to dispute. For information, we attach our comments on the 2014 draft schedule.

2. 12% flexibility

The explanation given for the Council’s flexibility allowance at Hearing Session 19 suggests that the 12% has not been correctly derived or applied.

We note that the level of flexibility varied over the course of the hearings as the supply fluctuated. The only explanation given was at Hearing Session 19 whereby the Council indicated that the 12% derived from the 546 dwellings shortfall of the UDP, which equated to a 6% shortfall and that figure is then applied to the final two 5 year periods of the LDP (6% flexibility for the period 2016 to 2021 and 6% for 2021 to 2026). However, the 546 shortfall was actually a 7.3% shortfall of the UDP requirement (7,500) which if applied as the Council plainly intend should equate to a 14.6% figure. There is simply no value in identifying the UDP shortfall as a % of the LDP requirement as the Council have done as they are two separate plans with two separate requirements.

Further, we do not believe it is credible to apply this only to a 10 year period when there are 12 years remaining and significant flexibility has already been required (with the numerous and significant changes to policy H1 that have taken place between December 2013 and now). Given that the latest JHLAS figures provided by the Council show the plan is failing already to deliver completions required, then it can only be the case that this should be increased. The practical implication of not achieving an appropriate level means that remedial action will be required. We consider that the initial shortfalls will cumulatively increase at a significant rate over the plan period as already ambitious targets are unlikely to be met due to inherent land supply short comings. This is plainly a highly unsatisfactory outcome for all involved in the process.

Accordingly, if the Council’s explanation of flexibility is to be applied correctly, then the flexibility allowance should be a minimum of 14% and should be applied pro rata to the remaining 13 years (not 10) which would equate to around 18% (equalling a flexibility allowance of 1,863 not 1,273). This would at least take appropriate stops now in order seek to prevent an early review being required due to the assumption being incorrectly applied.

We note that whilst a lower (10%) flexibility allowance may have been appropriate elsewhere, it is individual circumstances that must be the key factor. Indeed, the Caerphilly LDP sought to achieve 19% flexibility, but given the inherent problems with the identified land supply this failed to be sufficient, despite the assurances of the Council. In the case of Caerphilly this has led to significant abortive costs, delays and failure of house building with the associated economic benefits that accompany it. Such problems at Newport would be harmful to the LDP and the economy.

3. Windfalls

We are very concerned over the reliance upon windfall sites and that the additional sites now proposed as allocations have the practical effect of actually reducing the “pipeline” source of windfall sites.
Matters Arising Changes Representations

Indeed, the assumptions that are incorporated into the Council’s land supply regarding windfalls (95 per annum) are effectively double counted as the very sites that would have justified the assumption are now also made allocations. We discuss our concerns over individual sites separately.

Given that more windfall sites are now proposed to be allocated, there can reasonably be no windfall sites expected to contribute towards the supply between 2013 and 2016 given the timeframes involved and accordingly the assumption that 380 windfall sites will be delivered between these years (95 per annum) should now be removed and no reliance placed on this element of the supply.

4. Policy H1

We considered herein the consideration of existing and new sites and the changed circumstances surrounding each. We would note that we reiterate our concerns over other sites on the H1 list where we have previously identified concerns and we note that these will need to be considered in detail through the JHLAS process, accordingly we attach our comments on the Council’s draft schedule for ease of reference and completeness.

i. H3 (Llanwern Village) Given the changes to Policy H16 (in relation to transit Gypsy Sites) and increased status we cannot see how H3 (Llanwern Village) can credibly be relied upon. Indeed, the plan now envisages that the H16 site is developed by 2016.

It is plainly without credibility to now rely upon this housing site despite all of the evidence that has been presented including that of the promoter (Gallaghers Estates). In line with the evidence submitted it should only be relied upon optimistically to deliver 550 dwellings during the plan period not 1100, pessimistically it may remain undeveloped (as it did through the UDP period and to date).

ii. S106 sites: It remains our view that it lacks credibility to include as allocations or commitments sites that remain subject to s106. These are sites that have failed to secure planning permission previously and there is no evidence that suggested they can be relied upon now. Under proposed new TAN1 guidance such sites would be removed from the housing supply after 1 year;

iii. H55 (Jigsaw site) – suitable wording should be included within the plan in order for H55 to comply with Policy CE9 which requires that the loss of SINCs is entirely mitigated for. We object to the inclusion of the following additional sites:

iv. H61 (Postal Exchange) is a site that comprises 0.2ha and would be developed at a density of 350 dwellings per ha to achieve the 70 that are envisaged. We note that Uskside Paint Mills (H64) is also 0.2 ha and it has had 2 applications for 77 refused both of which necessitated a 14 storey town to accommodate that level of development.

Given the size of the existing building we cannot see that these figures are correct. Rather a realistic density would be around 50. In this regard it should be treated as a windfall site.

v. H63 (Telford Depot) – It is evident that this will be the location of the Estates Department until at least 2019. There is no firm indication that it will be released. Therefore clarification must be given over whether this site is actually available and if not.

It would be more credibly considered as a windfall particularly given the potential quantum of development – at a density of 30dpf then it would yield less than 50 dwellings.

vi. H64 Uskside Paint Mills – We are concerned that the Council are now considering sites for inclusion that they have refused planning permission for. In this instance it has twice been refused planning permission (the latest refusal came in June 2014). Both schemes have been for 77 dwellings and have included a 14 storey tower.

In any event, at 53 dwellings this can only realistically be considered as a windfall site if a viable scheme can be found.

Changes required to make the plan sound

There is plainly a requirement for unconstrained, deliverable and genuinely available housing land to be identified to ensure continuity of supply and to ensure that the ambitious targets can be met.

Based on our consideration of all matters, we believe the following changes are required in order to address the problems with the Matters Arising Changes:
1. The Council’s rationale on flexibility should be applied correctly and related to a 13 year period. This would require an additional 590 dwellings to be identified;

2. Given the proposed allocation of windfall sites, the additional inbuilt windfall assumption for the 4 year period 2013 to 2017 (380 dwellings) should be discounted and made up with new allocations.

3. In line with evidence presented by Gallaghers the H3 site should only be considered to provide 550 dwellings during the plan period; and

4. The policy in relation to H55 (the Jigsaw site) should be amended to be clear that it is reliant upon a mitigation measures being identified as mitigation for the loss of the SINC.

In order to address these deficiencies, in line with our previous objections and comments, land at the Griffin, Basseleg should be allocated for c. 80-90 dwellings and approximately 1.10ha of leisure/educational land. The alteration to the settlement boundary, deletion of the Minerals safeguarding area, and removal from the SLA are consequential changes to the plan that would logically follow its allocation for development.

Given the problems identified, we consider that if the above points are not accepted then additional reserve sites should be identified at this stage in order to be promptly released for development when build rates and land supply fall below the level required. This will avoid a further costly and lengthy site identification process which would only be harmful to Newport and the LDP strategy.
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Document: Schedule of MACs
Policy: MAC 5.1
Summary: Objection to revised housing provision MAC 5.1
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Matters Arising Changes Representations

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<tr>
<td>2 2 Full representation</td>
<td>It is strongly our view that each application should be considered on its own merits, and specific circumstances may exist where the increase in dwelling size by over 30% may not have a negative impact upon the openness of the Green Belt. Accordingly, we feel that flexibility ought to exist for such occasions in line with PPW 4.8.16</td>
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Change required to make the Plan Sound

Ensure that plan requirement is in line with PPW para 4.8.16.

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<td>3 3 Speaking at hearing session</td>
<td>Due to the significant policy issues raised in the attached Representation.</td>
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Due to the significant policy issues raised in the attached Representation.
Matters Arising Changes Representations

by: (No grouping)
Filtered to show: (all of) Stage=Z

Rep'n/Para/Policy Representer Agent Accession No Date Lodged Late? Source Type Mode Status Status Modified

1666.Z5/MAC 2.7 Murray, Mrs H E Boyer Planning - Cardiff 01/08/2014 E O M

Document: Schedule of MACs
Policy: MAC 2.7
Summary: Objection to revised Policy SP8 MAC 2.7

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</table>
| 2    | Full representation | It is strongly our view that each application should be considered on its own merits, and specific circumstances may exist where the increase in dwelling size by over 30% may not have a negative impact upon the openness of the Green Belt. Accordingly, we feel that flexibility ought to exist for such occasions in line with PPW 4.8.16. Change required to make the Plan Sound
Ensure that plan requirement is in line with PPW para 4.8.16. |
| 3    | Speaking at hearing session | Yes |

Due to the significant policy issues raised in the Representation.
**Matters Arising Changes Representations**

**Document:** Schedule of MACs

**Policy:** MAC 2.10

**Summary:** Objection to revised Policy SP11 MAC 2.10

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<td>2</td>
<td>Full representation</td>
<td>We object to the exclusion from this text of reference to the two gypsy traveller sites H15 and H16. These are important components of this area in the future and see no reason why they should be excluded from the wording of this section. Specific reference should be made to the two sites within the policy wording itself. Indeed, H15 and H16 are large sites totalling over 10 ha which the plan intends are providing Gypsy and Traveller Accommodation by 2016. Given the additional population that will therefore be located within this part of Newport as a result of the traveller pitches they plainly form an important part of the area and will use infrastructure including the schools, local centres etc. that are associated with Llanwern Steelworks and the Llanwern Village site. In this regard they will form an important part of the community. In relation to the Jigsaw site it should be explicit that this is a SINC and compliance with Policy CE9 is required. In this regard the policy should be clear that a suitable mitigation site will need to be identified prior to the development of the Jigsaw site. In dealing with this area as a whole it is important to note that the evidence provided to the Examination indicates that a lower amount of completions would be expected from the H3 (Llanwern Village) site when all of the relevant allocations are taken as a whole. We have set out our concerns on this in our objections specifically in relation to H1.</td>
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<td>3</td>
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<td>Due to the significant policy issues raised in the attached Representation.</td>
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### Matters Arising Changes Representations

**by:** (No grouping)

**Filtered to show:** (all of) Stage=Z

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**Document:** Schedule of MACs

**Policy:** MAC 2.21

**Summary:** Objection to revised Policy SP21 MAC 2.21

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<td>1</td>
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<tr>
<td>2</td>
<td>Full representation</td>
<td>The policy wording of SP21 in its present wording indicates that &quot;The plan will fulfil its contribution towards the Regional Demand&quot;. However, 2.88 indicates that there is no requirement for Newport to make specific provision for the supply of aggregates based on limited availability of resources and demand. Accordingly we do not consider it appropriate to identify large areas of the County as potential mineral resources with no evidence prepared and submitted as to whether they are viable or achievable. This is contrary to the relevant tests of soundness which require robust evidence based policies.</td>
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<td>3</td>
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| 1666.Z8//MAC 2.2  | Murray, Mrs H E | Boyer Planning | 01/08/2014 | | E | O | M |    |     |

**Document:** Schedule of MACs

**Policy:** MAC 2.22

**Summary:** Objection to revised supporting text of Policy SP21 MAC 2.22

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Matters Arising Changes Representations

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Document: Schedule of MACs
Policy: MAC 10.1
Summary: Objection to revised Policy M1 MAC 10.1

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We object to the blanket coverage of land with policy M1 designations. We consider that this approach fails the relevant tests of soundness where there is no evidence that such designations are achievable or deliverable and that they would not conflict with other policies of the plan in relation to transport and environmental considerations. Absent any such evidence it is not sound to identify these areas rather the Authority should produce evidence that such sites would be achievable.

Indeed, TAN 22 is clear that part of the evidence base should relate to the present land bank. There are significant swathes of land identified in the north eastern part of Newport that would adjoin the existing quarry. These would plainly be the starting point in light of existing infrastructure and links.

Furthermore there is presently no actual requirement for these under existing guidance which suggests that no requirement is apportioned to Newport.

Specifically in relation to areas identified, where our clients are landowners, there are numerous constraints. These include in relation to land at Pentrepoeth:
- land ownership constraints. The sites are not available for such uses;
- existing residential access roads are unlikely to be suitable for the associated long term and heavy freight movement;
- proximity to residential existing residential properties sterilises large elements of the identified areas and appropriate buffers should be incorporated where no quarrying would be appropriate;
- topography, landscape considerations and physical implications of extraction further impact upon the likely areas;
- other likely physical impacts upon nearby businesses and properties including potential adverse health impacts upon communities within 1km of any quarry and dust impacts from drilling.

Plainly there are a large number of constraints to the areas identified that would need to be addressed if there is any credibility or robustness to the policy.

Changes required to make the Plan sound

The wording of Policy M1 should be amended such that there is an “or” in between points ii) and iii). It is not possible for both to be complied with which is suggested by its present wording.

The proposals map should be altered to focus any minerals safeguarding areas in the north eastern parts of the City associated with existing works.

3 Speaking at hearing session

Yes

Due to the significant policy issues in the attached Representation.
## Matters Arising Changes Representations

**Summary:** No comments on Schedule of MACs

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Having reviewed the document, I confirm that we have no specific comments to make at this stage.

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**By:** (No grouping)

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We have been instructed by our client, Axa Real Estates, to submit representations on the ‘Matters Arising Changes’ consultation, following the hearing sessions.

We have previously objected to the Newport Local Development Plan in respect of Policy R12 (Development of Existing Out-of-Centre Retail Sites) and its supporting paragraph 8.42, for the reasons set out in our pre-hearing representations, dated 11 April 2014. Our objection was explored further at the hearing session on Matter 8, held on 29 April 2014.

During the hearing session, the Council proposed suggested amendments to Policy R12 (with an exception of criterion iv), with which we confirmed agreement in principle. Our agreed position is reflected in the relevant Matters Arising Changes (Refs: MAC 8.5 and 8.6). However, we consider that the proposed change to criterion iv) makes the policy unsound. In these terms, our representations on these are set out below.

MAC 8.5 – Policy R12
As agreed at the hearing session, we support the Council’s proposed amendments to clarify that Policy R12, which requires the retail tests to be satisfied, will apply to redevelopments and extensions of existing retail outlets involving increases in floorspace to previous consents and/or changes to the range of goods sold. As the Council acknowledged at the hearing session, 28 East Retail Park is an established retail park in Newport, and our client is committed to ongoing investment to ensure economic viability and contribution it makes to the local economy. The proposed amendments to Policy R12 would remove onerous and unjustified requirements for further refurbishment and modernisation of our client’s site.

With regard to criterion iv), at the hearing session, we sought the Council’s justification for the requirement, as it is imprecise, and cannot be effectively applied to out of centre sites, which itself puts an onerous and unnecessary requirement on applicants. Such a requirement would be subject to interpretation, and is not considered to be a sound policy, without this being backed up by a clear reasoning and the relevance explained. At the hearing session, the Council were not able to explain the intent and purpose of this requirement, and therefore undertook to consider their position.

The proposed amendment to the criterion does not provide any clarity, nor explain the purpose of this criterion. No explanation is provided in the current consultation document. Therefore, we maintain our objection, and request that this criterion is deleted, for the soundness of the policy.

MAC 8.6 – Policy R12 Supporting Text Paragraph 8.42
The proposed amendment is consistent with the Council’s approach, as expressed at the hearing session. It provides clarification that Policy R12 will apply to the insertion of mezzanine floors, where planning permission is required. For transparency and clarity, the proposed amendment is necessary, and therefore supported.

Summary
We welcome the Council’s proposed amendments to the first paragraph of Policy R12 and its supporting text. However, we request that criterion iv) of Policy R12 should be deleted for the soundness of the policy, as its purpose is unclear, and no justification is provided by the Council.

We respectfully request that our representations are taken into consideration in the Inspector’s final report on the soundness of the Plan.
## Matters Arising Changes Representations

**Newport City Council Local Development Plan**

by: (No grouping)  
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We wish to reserve our right to participate in a hearing session(s), depending on the Inspectors further matters, issues and questions in retail matters, and/or any new matters arising.
The Matters Arising Changes (MAC) (June 2014), at MAC 8.2 and MAC 8.3, propose amendments that affect Newport Retail Park (NRP) and the Newport Retail Park District Centre (NRPDC). In providing our representations below, regard has also been had to the Council’s Response to Matters Arising (CRMA) on Hearing Session 8: Retail Matters (no date) and our earlier response to this, dated 17 June 2014. MAC 8.2 and MAC 8.3 are highly related and are therefore considered together in these representations, although separate forms are provided as requested.

Paragraph 1.9 of the CRMA makes reference to an alleged disproportionate role of NRP and concerns over the impact on the City Centre’s role. The points made at the hearing session (29 April 2014) and in our earlier written submissions remain valid and support the retention of the Unitary Development Plan / Eastern Expansion Area (EEA) District Centre boundary within the Local Development Plan (LDP). This is because the NRPDC performs a crucial role in providing a sustainable and comprehensive development of the EEA, including being able to provide important linkages to the former Llanwern Steelworks site development (Glan Llyn) and that the substantial leakage of expenditure from Newport as a whole (circa £138 million of comparison goods expenditure lose) will not be remedied by drawing the NRPDC boundary tighter than previously agreed as being acceptable.

Table 7 of the CRMA refers to the relocation of national chains from the City Centre suggesting that they have set up on NRP. Whilst Dorothy Perkins, Burtons, Top Shop and Wallace are referred to as having relocated to NRPDC, this is not strictly the case. The retail unit ‘Outfit’ provides a very much reduced offer for each of the retailers within one store. It does not replicate a typical offer within a stand alone town centre store. Furthermore, there is nothing to say that such retailers might not be interested in floor space within the new Friars Walk scheme. Table 7 is therefore considered to give a false impression that high street retailers have relocated wholesale to NRPDC.

MAC 8.2 sets out revised wording to Policy R6, having accepted that Policy R7 which previously related specifically to the NRPDC should be deleted (MAC 8.3). The changes proposed through MAC 8.3 in respect of the deletion of Policy R7 are highly related and are therefore considered necessary to MAC 8.2 to ensure that NRPDC is treated in the same way as other District Centres within the LDP and therefore render the LDP sound. It is our considered view that the revised wording as currently put forward by the Council in MAC 8.2 still makes an unjustified special case for NRPDC which would result in proposals within its boundary (however it is to be defined) or land adjacent to it being treated differently to other District Centres.

Our suggested further changes to MAC 8.2 are given below, indicated by yellow shading for additions and strikethroughs for deletions. The remaining parts to MAC 8.2 are considered acceptable.

"WITHIN NEWPORT RETAIL PARK DISTRICT CENTRE AND WITHIN AND ADJACENT TO THE FOLLOWING DISTRICT CENTRES: - NEWPORT RETAIL PARK

... 8.19 Newport Retail Park District Centre was designated in the Unitary Development Plan to provide local shopping facilities for the Eastern Expansion Area and surrounding residential areas in east Newport. Newport Retail Park District Centre fulfils a role as a District Centre, but has the potential to develop to a sub-regional role, which differentiates it from the other District Centres listed in Policy R6. A boundary for Newport Retail Park District Centre is defined in the District Centre Inset Plans. Within the defined boundary, Newport Retail Park District Centre will be assessed as a District Centre within the retail hierarchy for the application of the sequential test. Retail development in areas outside the defined District Centre will be subject to the sequential test, will have to demonstrate need and if these tests area met will have planning conditions restricting the range of goods sold. The application of these tests will help the vitality and viability of the City Centre.

..."

In summary, we are of the view that the arguments presented in the written representations, at the hearing and through our response to the CRMA with regards to reinstating the EEA definition of the NRPDC boundary remain valid. The further changes to Policy R6 (MAC 8.2) identified above are also necessary to make the LDP sound.
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The NRP is a key element of the sustainable growth planned for the city through the EEA and committed development at the former Llanwern Steelworks site (Glan Llyn). As such, it requires full examination and representations to be made before the Inspector.
MAC 8.3 sets out revised wording to Policy R6, having accepted that Policy R7 which previously related specifically to the NRPDC should be deleted (MAC 8.3). The changes proposed through MAC 8.3 in respect of the deletion of Policy R7 are welcomed but further changes are considered necessary to MAC 8.2 to ensure that NRPDC is treated in the same way as other District Centres within the LDP and therefore render the LDP sound. It is our considered view that the revised wording as currently put forward by the Council in MAC 8.2 still makes an unjustified special case for NRPDC which would result in proposals within its boundary (however it is to be defined) or land adjacent to it being treated differently to other District Centres.

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Speaking at hearing session

The NRP is a key element of the sustainable growth planned for the city through the EEA and committed development at the former Llanwern Steelworks site (Glan Llyn). As such, it requires full examination and representations to be made before the Inspector.

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**Item Question**

Full representation

Please find attached our duly completed representation forms for the Matters Arising changes consultation. These are submitted on behalf of our clients, Newbridge Estates (2072).

On behalf of our clients, we specifically object to the following MAC’s:

- MAC 2.9 House Building Requirement;
- MAC 5.1 Housing Sites;
- MAC 2.6 Green Belt;
- MAC 2.7 Green Wedge;
- MAC 2.10 Policy SP11 Eastern Expansion Area;
- MAC 2.21 Minerals;
- MAC 2.22 Minerals;
- MAC 10.1 Minerals; and
- MAC 6.1 Employment.

Our representations are prepared in the context of the Planning and Compensation Act (2004) and the requirement in section 64(5)(b) for the Plan to be sound. Based on the evidence presented, the significant number of changes and the inconsistencies within the plan we do not believe that the LDP can be considered to be sound.

It is strongly our view that there is further remedial action required in order for the plan to be found sound. Our principle concern is in relation to housing provision. The number of dwellings actually identified for development within the revised dLDP (since it was placed on deposit) has fallen by over a thousand but it has been replaced by an increase in windfall sites assumptions, allocation of other potential windfall sites and reliance upon delivery assumptions that are already falling behind the requirement.

We consider that the practical effects of the plan in its present form will be to restrict housing development in the same way as during the UDP period (whereby there was an insufficient land supply in 12 out of the 15 years it covered). Given the changes already required and variation in key components in the plan, we consider that there is a lack of credibility and robustness, this is emphasised by the recently released draft 2014 JHLAS schedule which shows a shortfall of completion rates already and we consider this is particularly the case against the backdrop of other failed LDP’s where similar assumptions were made against the evidence presented by those representing industry.

Accordingly, we recommend a number of changes within our representations that we believe would remedy the problems.
### Matters Arising Changes Representations

**Newport City Council Local Development Plan**

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**by:** (No grouping)

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**Document:** Schedule of MACs  
**Policy:** MAC 2.9  
**Summary:** Objection to revised housing provision MAC 2.9

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*Additional material submitted*
We are concerned over the changes that have been made to the plan in relation to housing provision. In the first instance that they have not helped to address its shortcomings and secondly updated evidence indicates that the plan is already falling short of its own monitoring requirements.

1. 2014 Joint Housing Land Availability Study

In the first instance we note that important context for the Matters Arising Changes is provided by the Council’s recently released schedule for the 2014 JHLAS. It confirms that the Council have already fallen behind on completions (by around 115 dwellings) from the level that was indicated in their evidence for Hearing Session 19 and practically means that the plan is already failing to achieve its own requirements. We do not believe that it is a credible situation for a plan that is part way through examination to be already falling behind on its requirement. This confirms a clear problem with the land supply and assumptions being made.

Furthermore, by April 2015 (8 months from now) all of the evidence presented during the LDP examination regarding lack of delivery and progress suggests that it will fail to achieve the completions target for the second year and require remedial action. This is a situation that is now compounded as a problem as the immediate “pipeline” supply of windfall sites are proposed to become allocations (site references H61, H62, H63 and H64). This is in addition to the windfall sites that have become allocations since the plan was placed on Deposit (H58, H59 and H60).

Notwithstanding the completions information, it is plainly the case that given the new guidance from the WG, that sites that have been within the schedule for over 5 years will need to revert to 3(i) unless there is substantial evidence that it should remain. The WG have confirmed in writing to the HBF that an allocation is not enough to justify retention in the five year supply. Whilst the JHLAS process is underway and yet to be finalised, we would estimate that there will be in excess of 1,000 dwellings proposed within the 5 year supply by the Council that will be subject to dispute. For information, we attach our comments on the 2014 draft schedule.

2. 12% flexibility

The explanation given for the Council’s flexibility allowance at Hearing Session 19 suggests that the 12% has not been correctly derived or applied.

We note that the level of flexibility varied over the course of the hearings as the supply fluctuated. The only explanation given was at Hearing Session 19 whereby the Council indicated that the 12% derived from the 546 dwellings shortfall of the UDP, which equated to a 6% shortfall and that figure is then applied to the final two 5 year periods of the LDP (6% flexibility for the period 2016 to 2021 and 6% for 2021 to 2026). However, the 546 shortfall was actually a 7.3% shortfall of the UDP requirement (7,500) which if applied as the Council plainly intend should equate to a 14.6% figure. There is simply no value in identifying the UDP shortfall as a % of the LDP requirement as the Council have done as they are two separate plans with two separate requirements.

Further, we do not believe it is credible to apply this only to a 10 year period when there are 12 years remaining and significant flexibility has already been required (with the numerous and significant changes to policy H1 that have taken place between December 2013 and now). Given that the latest JHLAS figures provided by the Council show the plan is failing already to deliver completions required, then it can only be the case that this should be increased. The practical implication of not achieving an appropriate level means that remedial action will be required. We consider that the initial shortfalls will cumulatively increase at a significant rate over the plan period as already ambitious targets are unlikely to be met due to inherent land supply short comings. This is plainly a highly unsatisfactory outcome for all involved in the process.

Accordingly, if the Council’s explanation of flexibility is to be applied correctly, then the flexibility allowance should be a minimum of 14% and should be applied pro rata to the remaining 13 years (not 10) which would equate to around 18% (equalling a flexibility allowance of 1,863 not 1,273). This would at least take appropriate stops now in order seek to prevent an early review being required due to the assumption being incorrectly applied.

We note that whilst a lower (10%) flexibility allowance may have been appropriate elsewhere, it is individual circumstances that must be the key factor. Indeed, the Caerphilly LDP sought to achieve 19% flexibility, but given the inherent problems with the identified land supply this failed to be sufficient, despite the assurances of the Council. In the case of Caerphilly this has led to significant abortive costs, delays and failure of house building with the associated economic benefits that accompany it. Such problems at Newport would be harmful to the LDP and the economy.

3. Windfalls
We are very concerned over the reliance upon windfall sites and that the additional sites now proposed as allocations have the practical effect of actually reducing the “pipeline” source of windfall sites for the period from 2013 to 2016. Indeed, the assumptions that are incorporated into the Council’s land supply regarding windfalls (95 per annum) are effectively double counted as the very sites that would have justified the assumption are now also made allocations. We discuss our concerns over individual sites separately.

Given that more windfall sites are now proposed to be allocated, there can reasonably be no windfall sites expected to contribute towards the supply between 2013 and 2016 given the timeframes involved and accordingly the assumption that 380 windfall sites will be delivered between these years (95 per annum) should now be removed and no reliance placed on this element of the supply.

4. Policy H1

We considered herein the consideration of existing and new sites and the changed circumstances surrounding each. We would note that we reiterate our concerns over other sites on the H1 list where we have previously identified concerns and we note that these will need to be considered in detail through the JHLAS process, accordingly we attach our comments on the Council’s draft schedule for ease of reference and completeness.

i. H3 (Llanwern Village) Given the changes to Policy H16 (in relation to transit Gypsy Sites) and increased status we cannot see how H3 (Llanwern Village) can credibly be relied upon. Indeed, the plan now envisages that the H16 site is developed by 2016.

It is plainly without credibility to now rely upon this housing site despite all of the evidence that has been presented including that of the promoter (Gallaghers Estates). In line with the evidence submitted it should only be relied upon optimistically to deliver 550 dwellings during the plan period not 1100, pessimistically it may remain undeveloped (as it did through the UDP period and to date).

ii. S106 sites: It remains our view that it lacks credibility to include as allocations or commitments sites that remain subject to s106. These are sites that have failed to secure planning permission previously and there is no evidence that suggested they can be relied upon now. Under proposed new TAN1 guidance such sites would be removed from the housing supply after 1 year;

iii. H55 (Jigsaw site) – suitable wording should be included within the plan in order for H55 to comply with Policy CE9 which requires that the loss of SINCs is entirely mitigated for.

We object to the inclusion of the following additional sites:

iv. H61 (Postal Exchange) is a site that comprises 0.2ha and would be developed at a density of 350 dwellings per ha to achieve the 70 that are envisaged. We note that Uskside Paint Mills (H64) is also 0.2 ha and it has had 2 applications for 77 refused both of which necessitated a 14 storey town to accommodate that level of development.

Given the size of the existing building we cannot see that these figures are correct. Rather a realistic density would be around 50. In this regard it should be treated as a windfall site.

v. H63 (Telford Depot) – It is evident that this will be the location of the Estates Department until at least 2019. There is no firm indication that it will be released. Therefore clarification must be given over whether this site is actually available and if not.

It would be more credibly considered as a windfall particularly given the potential quantum of development – at a density of 30dph then it would yield less than 50 dwellings.

vi. H64 Uskside Paint Mills – We are concerned that the Council are now considering sites for inclusion that they have refused planning permission for. In this instance it has twice been refused planning permission (the latest refusal came in June 2014). Both schemes have been for 77 dwellings and have included a 14 storey tower.

In any event, at 53 dwellings this can only realistically be considered as a windfall site if a viable scheme can be found.

Changes required to make the plan sound

There is plainly a requirement for unconstrained, deliverable and genuinely available housing land to be identified to ensure continuity of supply and to ensure that the ambitious targets can be met.

Based on our consideration of all matters, we believe the following changes are required in order to address the problems with the Matters Arising Changes:
1. The Council’s rationale on flexibility should be applied correctly and related to a 13 year period. This would require an additional 590 dwellings to be identified;

2. Given the proposed allocation of windfall sites, the additional inbuilt windfall assumption for the 4 year period 2013 to 2017 (380 dwellings) should be discounted and made up with new allocations.

3. In line with evidence presented by Gallaghers the H3 site should only be considered to provide 550 dwellings during the plan period; and

4. The policy in relation to H55 (the Jigsaw site) should be amended to be clear that it is reliant upon a mitigation measures being identified as mitigation for the loss of the SINC.

In order to address these deficiencies, in line with our previous objections and comments, land at Gloch Wen, Rhiwderin should be allocated for c. 140 dwellings. The alteration of the settlement boundary and removal from the SLA are consequential changes to the plan that would logically follow its allocation for development.

Given the problems identified, we consider that if the above points are not accepted then additional reserve sites should be identified at this stage in order to be promptly released for development when build rates and land supply fall below the level required. This will avoid a further costly and lengthy site identification process which would only be harmful to Newport and the LDP strategy.

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## Matters Arising Changes Representations

### Document: Schedule of MACs

**Policy:** MAC 5.1  
**Summary:** Objection to revised housing provision MAC 5.1

### Item Question Representation Text

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Notwithstanding the completions information, it is plainly the case that given the new guidance from the WG, that sites that have been within the schedule for over 5 years will need to revert to 3(i) unless there is substantial evidence that it should remain. The WG have confirmed in writing to the HBF that an allocation is not enough to justify retention in the five year supply. Whilst the JHLAS process is underway and yet to be finalised, we would estimate that there will be in excess of 1,000 dwellings proposed within the 5 year supply by the Council that will be subject to dispute. For information, we attach our comments on the 2014 draft schedule.

2. 12% flexibility

The explanation given for the Council’s flexibility allowance at Hearing Session 19 suggests that the 12% has not been correctly derived or applied.

We note that the level of flexibility varied over the course of the hearings as the supply fluctuated. The only explanation given was at Hearing Session 19 whereby the Council indicated that the 12% derived from the 546 dwellings shortfall of the UDP, which equated to a 6% shortfall and that figure is then applied to the final two 5 year periods of the LDP (6% flexibility for the period 2016 to 2021 and 6% for 2021 to 2026). However, the 546 shortfall was actually a 7.3% shortfall of the UDP requirement (7,500) which if applied as the Council plainly intend should equate to a 14.6% figure. There is simply no value in identifying the UDP shortfall as a % of the LDP requirement as the Council have done as they are two separate plans with two separate requirements.

Further, we do not believe it is credible to apply this only to a 10 year period when there are 12 years remaining and significant flexibility has already been required (with the numerous and significant changes to policy H1 that have taken place between December 2013 and now). Given that the latest JHLAS figures provided by the Council show the plan is failing already to deliver completions required, then it can only be the case that this should be increased. The practical implication of not achieving an appropriate level means that remedial action will be required. We consider that the initial shortfalls will cumulatively increase at a significant rate over the plan period as already ambitious targets are unlikely to be met due to inherent land supply short comings. This is plainly a highly unsatisfactory outcome for all involved in the process.

Accordingly, if the Council’s explanation of flexibility is to be applied correctly, then the flexibility allowance should be a minimum of 14% and should be applied pro rata to the remaining 13 years (not 10) which would equate to around 18% (equalling a flexibility allowance of 1,863 not 1,273). This would at least take appropriate stops now in order seek to prevent an early review being required due to the assumption being incorrectly applied.

We note that whilst a lower (10%) flexibility allowance may have been appropriate elsewhere, it is individual circumstances that must be the key factor. Indeed, the Caerphilly LDP sought to achieve 19% flexibility, but given the inherent problems with the identified land supply this failed to be sufficient, despite the assurances of the Council. In the case of Caerphilly this has led to significant abortive costs, delays and failure of house building with the associated economic benefits that accompany it. Such problems at Newport would be harmful to the LDP and the economy.

3. Windfalls
We are very concerned over the reliance upon windfall sites and that the additional sites now proposed as allocations have the practical effect of actually reducing the “pipeline” source of windfall sites for the period from 2013 to 2016. Indeed, the assumptions that are incorporated into the Council’s land supply regarding windfalls (95 per annum) are effectively double counted as the very sites that would have justified the assumption are now also made allocations. We discuss our concerns over individual sites separately.

Given that more windfall sites are now proposed to be allocated, there can reasonably be no windfall sites expected to contribute towards the supply between 2013 and 2016 given the timeframes involved and accordingly the assumption that 380 windfall sites will be delivered between these years (95 per annum) should now be removed and no reliance placed on this element of the supply.

4. Policy H1

We considered herein the consideration of existing and new sites and the changed circumstances surrounding each. We would note that we reiterate our concerns over other sites on the H1 list where we have previously identified concerns and we note that these will need to be considered in detail through the JHLAS process, accordingly we attach our comments on the Council’s draft schedule for ease of reference and completeness.

i. H3 (Llanwern Village) Given the changes to Policy H16 (in relation to transit Gypsy Sites) and increased status we cannot see how H3 (Llanwern Village) can credibly be relied upon. Indeed, the plan now envisages that the H16 site is developed by 2016.

It is plainly without credibility to now rely upon this housing site despite all of the evidence that has been presented including that of the promoter (Gallaghers Estates). In line with the evidence submitted it should only be relied upon optimistically to deliver 550 dwellings during the plan period not 1100, pessimistically it may remain undeveloped (as it did through the UDP period and to date).

ii. S106 sites: It remains our view that it lacks credibility to include as allocations or commitments sites that remain subject to s106. These are sites that have failed to secure planning permission previously and there is no evidence that suggested they can be relied upon now. Under proposed new TAN1 guidance such sites would be removed from the housing supply after 1 year;

iii. H55 (Jigsaw site) – suitable wording should be included within the plan in order for H55 to comply with Policy CE9 which requires that the loss of SINCs is entirely mitigated for.

We object to the inclusion of the following additional sites:

iv. H61 (Postal Exchange) is a site that comprises 0.2ha and would be developed at a density of 350 dwellings per ha to achieve the 70 that are envisaged. We note that Uskside Paint Mills (H64) is also 0.2 ha and it has had 2 applications for 77 refused both of which necessitated a 14 storey town to accommodate that level of development.

Given the size of the existing building we cannot see that these figures are correct. Rather a realistic density would be around 50. In this regard it should be treated as a windfall site.

v. H63 (Telford Depot) – It is evident that this will be the location of the Estates Department until at least 2019. There is no firm indication that it will be released. Therefore clarification must be given over whether this site is actually available and if not.

It would be more credibly considered as a windfall particularly given the potential quantum of development – at a density of 30dph then it would yield less than 50 dwellings.

vi. H64 Uskside Paint Mills – We are concerned that the Council are now considering sites for inclusion that they have refused planning permission for. In this instance it has twice been refused planning permission (the latest refusal came in June 2014). Both schemes have been for 77 dwellings and have included a 14 storey tower.

In any event, at 53 dwellings this can only realistically be considered as a windfall site if a viable scheme can be found.

Changes required to make the plan sound

There is plainly a requirement for unconstrained, deliverable and genuinely available housing land to be identified to ensure continuity of supply and to ensure that the ambitious targets can be met.

Based on our consideration of all matters, we believe the following changes are required in order to address the problems with the Matters Arising Changes:
Matters Arising Changes Representations

1. The Council’s rationale on flexibility should be applied correctly and related to a 13 year period. This would require an additional 590 dwellings to be identified;

2. Given the proposed allocation of windfall sites, the additional inbuilt windfall assumption for the 4 year period 2013 to 2017 (380 dwellings) should be discounted and made up with new allocations.

3. In line with evidence presented by Gallaghers the H3 site should only be considered to provide 550 dwellings during the plan period; and

4. The policy in relation to H55 (the Jigsaw site) should be amended to be clear that it is reliant upon a mitigation measures being identified as mitigation for the loss of the SINC.

In order to address these deficiencies, in line with our previous objections and comments, land at Gloch Wen, Rhiwderin should be allocated for c. 140 dwellings. The alteration of the settlement boundary and removal from the SLA are consequential changes to the plan that would logically follow its allocation for development.

Given the problems identified, we consider that if the above points are not accepted then additional reserve sites should be identified at this stage in order to be promptly released for development when build rates and land supply fall below the level required. This will avoid a further costly and lengthy site identification process which would only be harmful to Newport and the LDP strategy.

---

3 3 Speaking at hearing session

Due to the significant policy issues raised in the attached Representation.

---

2072.Z4/MAC 2.6
Newbridge Estates Ltd
Boyer Planning - Cardiff
01/08/2014

Document: Schedule of MACs
Policy: MAC 2.6
Summary: Objection to revised Policy SP6 MAC 2.6

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1 1 MAC reference

MAC 2.6

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2 2 Full representation

It is strongly our view that each application should be considered on its own merits, and specific circumstances may exist where the increase in dwelling size by over 30% may not have a negative impact upon the openness of the Green Belt. Accordingly, we feel that flexibility ought to exist for such occasions in line with PPW 4.8.16

Change required to make the Plan Sound

Ensure that plan requirement is in line with PPW para 4.8.16.

---

3 3 Speaking at hearing session

Due to the significant policy issues raised in the attached Representation.
<table>
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<tr>
<th>Item</th>
<th>MAC reference</th>
<th>Representation Text</th>
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<tr>
<td>1</td>
<td>MAC 2.7</td>
<td>It is strongly our view that each application should be considered on its own merits, and specific circumstances may exist where the increase in dwelling size by over 30% may not have a negative impact upon the openness of the Green Belt. Accordingly, we feel that flexibility ought to exist for such occasions in line with PPW 4.8.16. Change required to make the Plan Sound Ensure that plan requirement is in line with PPW para 4.8.16.</td>
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<tr>
<td>2</td>
<td>MAC 2.7</td>
<td>Due to the significant policy issues raised in the attached Representation.</td>
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Document: Schedule of MACs Policy: MAC 2.7 Summary: Objection to revised Policy SP7 MAC 2.7
Newbridge Estates Ltd

Boyer Planning - Cardiff

01/08/2014

E

O

M

Document: Schedule of MACs

Policy: MAC 2.10

Summary: Objection to revised Policy SP11 MAC 2.10

Item Question Representation Text

1

MAC reference

2

Full representation

We object to the exclusion from this text of reference to the two gypsy traveller sites H15 and H16. These are important components of this area in the future and see no reason why they should be excluded from the wording of this section. Specific reference should be made to the two sites within the policy wording itself.

Indeed, H15 and H16 are large sites totalling over 10 ha which the plan intends are providing Gypsy and Traveller Accommodation by 2016. Given the additional population that will therefore be located within this part of Newport as a result of the traveller pitches they plainly form an important part of the area and will use infrastructure including the schools, local centres etc. that are associated with Llanwern Steelworks and the Llanwern Village site. In this regard they will form an important part of the community.

In relation to the Jigsaw site it should be explicit that this is a SINC and compliance with Policy CE9 is required. In this regard the policy should be clear that a suitable mitigation site will need to be identified prior to the development of the Jigsaw site.

In dealing with this area as a whole it is important to note that the evidence provided to the Examination indicates that a lower amount of completions would be expected from the H3 (Llanwern Village) site when all of the relevant allocations are taken as a whole. We have set out our concerns on this in our objections specifically in relation to H1.

3

Speaking at hearing session

Yes

Due to the significant policy issues raised in the attached Representation.
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| MAC 2.21 | Full representation | SP21 Minerals

The policy wording of SP21 in its present wording indicates that "The plan will fulfil its contribution towards the Regional Demand". However, 2.88 indicates that there is no requirement for Newport to make specific provision for the supply of aggregates based on limited availability of resources and demand.

Accordingly we do not consider it appropriate to identify large areas of the County as potential mineral resources with no evidence prepared and submitted as to whether they are viable or achievable. This is contrary to the relevant tests of soundness which require robust evidence based policies.

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### Matters Arising Changes Representations

**Document:** Schedule of MACs

**Policy:** MAC 2.22

**Summary:** Objection to revised supporting text of Policy SP21 MAC 2.22

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<tr>
<td>2.2</td>
<td>Full representation</td>
<td>SP21 Minerals</td>
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Accordingly we do not consider it appropriate to identify large areas of the County as potential mineral resources with no evidence prepared and submitted as to whether they are viable or achievable.

This is contrary to the relevant tests of soundness which require robust evidence based policies.

| 3.3  | Speaking at hearing session | Yes |

Due to the significant policy issues raised in the attached Representation.
Newport City Council Local Development Plan

Matters Arising Changes Representations

by: (No grouping)
Filtered to show: (all of) Stage=Z
Rep'n/Para/Policy     Representor                                                                      Agent              ...                               Accession No    Date Lodged    Late?   Source   Type    Mode     Status     Status Modified

01/08/2014 O M

Document:Schedule of MACs
Policy: MAC 10.1
Summary: Objection to revised Policy M1 MAC 10.1

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Item Question   Representation Text
---
1 1  MAC reference
2 2    Full representation
       M1 Safeguarding of Mineral Resource
We object to the blanket coverage of land with policy M1 designations. We consider that this approach fails the relevant tests of soundness where there is no evidence that such designations are achievable or deliverable and that they would not conflict with other policies of the plan in relation to transport and environmental considerations. Absent any such evidence it is not sound to identify these areas rather the Authority should produce evidence that such sites would be achievable.

Indeed, TAN 22 is clear that part of the evidence base should relate to the present land bank. There are significant swaths of land identified in the north eastern part of Newport that would adjoin the existing quarry. These would plainly be the starting point in light of existing infrastructure and links.

Furthermore there is presently no actual requirement for these under existing guidance which suggests that no requirement is apportioned to Newport.

Specifically in relation to areas identified, where our clients are landowners, there are numerous constraints. These include in relation to land at Rhiwderin:
- land ownership constraints. The sites are not available for such uses;
- existing residential access roads are unlikely to be suitable for the associated long term and heavy freight movement;
- proximity to residential existing residential properties sterilises large elements of the identified areas and appropriate buffers should be incorporated where no quarrying would be appropriate;
- topography, landscape considerations and physical implications of extraction further impact upon the likely areas;
- other likely physical impacts upon nearby businesses and properties including potential adverse health impacts upon communities within 1km of any quarry and dust impacts from drilling.

Plainly there are a large number of constraints to the areas identified that would need to be addressed if there is any credibility or robustness to the policy.

Changes required to make the Plan sound

The wording of Policy M1 should be amended such that there is an “or” in between points ii) and iii). It is not possible for both to be complied with which is suggested by its present wording.

The proposals map should be altered to focus any minerals safeguarding areas in the north eastern parts of the City associated with existing works.

---

3 3    Speaking at hearing session
       Yes
Due to the significant policy issues raised in the attached Representation.

15/08/2014
Matters Arising Changes Representations

Newport City Council Local Development Plan

Filtered to show: (all of) Stage=Z
by: (No grouping)

Rep'n/Para/Policy     Representor                                                                      Agent              Accession No    Date Lodged    Late?   Source   Type    Mode     Status     Status Modified
Matters Arising Changes Representations


Document:Schedule of MACs
Policy: MAC 6.1
Summary: Objection to revised Employment Chapter MAC 6.1

MAC reference

1 1 MAC reference

2 2 Full representation

We object to the amendments made to the employment chapter. In particular in relation to alternative uses of new employment sites set out in Policy EM3.

TAN 23 is clear that LDP’s should allow for flexibility, at Para 4.5.2 it state that “persistent oversupply of employment land may cause harm where the planned land supply exceeds demand, so that allocated employment sites remain vacant for long periods and frustrate development for other land uses”.

Paragraph 4.5.4 states that it may be advisable to retain such sites “unless and until they are needed for an alternative use”.

The technical advice note further emphasises at Para 4.5.6 states “Where sites identified for employment have no reasonable prospect of being used or re-used, the expectation is that they should be re-allocated or de-allocated.”

Clearly in National guidance there is an acceptance and understanding that where evidence exists alternative uses should be considered. The present wording of Policy EM3 and its lack of flexibility is plainly contrary to national policy as set out in TAN23. Indeed, there must be an option to allow alternative uses if there is no prospect of the site being developed for employment purposes.

An example of this is EM1 (vi) Land off Charterist Drive, where our clients the site owners confirm that there is no interest in it being developed for B uses however, there may be a prospect of other use classes being considered that may generate employment or would allow an appropriate alternative use.

Outline planning permission was previously granted for A1 retail use. There is a prospect that the landowner will re-consider this use given the terms of the outline permission and that there is no interest in B uses.

Change Required to make the Plan Sound.

Accordingly, it is strongly our view that in order for the Plan to be found sound there should be flexibility for new allocations to be considered for alternative uses in Policy EM3 should there be no prospect of them being developed for employment purposes. Such an approach would be entirely in line with the requirements of Technical Advice Note 23.

3 3 Speaking at hearing session Yes

Due to the significant policy issues raised in the attached Representation.
Summary: Objection to Former Ringland Allotments as a Gypsy and Traveller accommodation site MAC 5.8

My concerns regarding Traveller site and housing development

Warning flood signs have been put up along the SDR on Ringland way by the allotments every winter.

The rain runs off the green fields onto the allotments then on to the SDR, if we have a long spell of wet weather the rain water then runs onto the Ringland estate. If the traveller and housing development goes ahead, any rain water will run straight onto Ringland estate.

The allotment can act like a bog and stores plenty of rain water; the best use for this area is to turn it back into allotments for Ringland residents to use.

The Ringland estate is surrounded by hills and lies in a valley, all the hills around the Ringland estate were once fields but lately many houses have been built and this has put the Ringland estate in danger of flooding.

Electricity Pylons. Who will be responsible if a member of the travelling family put in a claim, because they are taken ILL.? The children of the traveller families will be playing and living under the electricity pylons.

I need to travel 4 miles to attend my doctor and dentist surgeries from the Ringland estate, how are these new families going to find a health centre without travelling long distances.

There are no leisure facilities on the Ringland estate, the NCC closed the swimming pool and the Spencer boys club has been burnt down so where are no leisure facilities on the Ringland estate for our residents.

There have been many accidents on Ringland roads in the past few years, the roads are already over congested, cars double parked bumper to bumper.

There are problems outside school regarding parking only a matter of time before someone is hurt. Who will take responsibility?

I can not confirm that i would speak at the hearing session as i don't have date, if you send me a date of the hearing i could get back to you with my reply.

If i can not attend i would like my comments in the attachment given to the inspector.
Document: Schedule of MACs

Summary: Objection of St Cadoc's, Caerleon being residential

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**Item Question** | **Representation Text**
---|---
2 | Full representation
   It seems to me many of the yellow highlighted portions of text are designed to allow the planning authority to say 'we have considered this objection but on balance and having regard to the published plan the proposal can be approved'.
   I remain rooted on any objection to the St Cadoc's site proposal, now it is clear that once the Health authorities give the nod this "windfall", will go through. What can a "full transport assessment" achieve. The simple fact is, given the routes into and out of Caerleon cannot be improved without demolition of existing property, 250 residential units = 350+ cars = chaos.
3 | Speaking at hearing session
   No
Document: Schedule of MACs  
Policy: MAC 5.8  
Summary: Objection to MAC 5.8 and in favour of regional gypsy and traveller transit accommodation approach

---

**2.** Full representation

MAC 5.8 - Policy H15  
MAC 12.1 - Monitoring Targets

I am aware that changes are proposed to the Local Development Plan as a result of the recent public examination hearing meetings, and I would request that you take into account my following comments on the changes relating to the Gypsy and Traveller transit site allocation.

Although only a small section of the LDP, you will be aware from the volume of previous correspondence that this is a very sensitive topic.

It is noted that MAC 5.8 seeks to delete the proposed Celtic Way Gypsy and Traveller transit site, meaning that the Former Ringland Allotments site becomes the allocated transit site rather than a contingency site.

Throughout the development of Newport's LDP, the Council has received clear unequivocal advice from the Welsh Government that our Plan must meet our housing needs, including those of the Gypsy and Traveller community. It is therefore of considerable concern that other South East Wales Authorities have not been provided with the same advice. Cardiff City Council's Deposit LDP does not allocate any pitches to meet its identified transit site need, and yet this has not received a strong objection from the Welsh Government regarding the soundness of their plan. Instead it is noted that this matter could be addressed at a regional level in a future Strategic Development Plan. A very similar response has been provided to the Vale of Glamorgan Council in relation to its plan.

As a Newport City Councillor, I fully support the regional approach to transit site provision now advocated by the Welsh Government, and would request that the same approach is taken for Newport.

Planning for a transit site at a regional level is a far more appropriate response to this regional-scale topic, and would also result in a more efficient use of scarce public funding to deliver the sites to meet the South East Wales region's needs. It would also mean that Newport City Council is not treated unfairly in comparison to neighbouring Authorities.

I would therefore request that the LDP be amended to delete the Gypsy and Traveller transit site allocation at the Former Ringland Allotments and instead a monitoring target introduced to allow for transit sites to meet the regional need to be planned and delivered on a regional basis as advocated by the Welsh Government and emerging Planning Bill.
2 Full representation

The Council states in 1.3 Local designations that there are 5 development allocations that have the potential to affect a Site of Importance to Nature Conservation (SINC).

At Hearing Session 10 the council admitted that not all the environmental areas identified in the LDP had been assessed for eligibility for SINC site designation as was the case with the environmental sites in Ringland that were discussed. As this assessment of all the environmental areas has not taken place then the council cannot be certain that any development allocations in the LDP do not have the potential to affect a SINC site.

The Vale of Glamorgan Council and Caerphilly County Borough commissioned Soltys Brewster Ecology with a dedicated field survey team of experienced botanical surveyors with extensive experience of site assessment to identify SINC sites as part of their LDP process.

The LDP does not clearly identify SINC sites. I have looked at the proposals map and the SINC sites are not identified. A blanket identification of “environmental area” is used.

Other authorities such as Rhondda Cynon Taf have identified SINC sites on their LDP Proposals map as this deficiency was highlighted when their LDP was inspected.

The Welsh Assembly Government has published a list of habitats and species of principal importance in Wales, as required under Section 42 of the Countryside and Rights of Way Act 2000. The presence of these habitats and species is a material consideration and has informed the SINC criteria. The Local Biodiversity Action Plan (LBAP) lists the habitats and species of particular importance in Newport and these have informed the SINC criteria.

Para 2.24 of LDP Wales states that proposals maps should show designated areas such as SSSIs and Conservation Areas.

By not identifying the SINC sites and not including them in the LDP proposals map the LDP is deficient and fails the test of soundness as it does not take into account national policy.

Remedial Action

Assessments for SINC site status of all the environmental areas identified in the LDP should be undertaken and any meeting that criteria should be clearly identified in the proposals map.
### Matters Arising Changes Representations

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<tr>
<td>2</td>
<td>Full representation</td>
<td>The land referred to as Oak Tree Cottage fields is owned by Woodlands Amenities (Rogerstone) Ltd. It is not and never has been under the control of Reg. Phillips and Partners nor any other company. They are not being truthful when they say it is in their control. I have written to R. Phillips twice telling them to cease and desist putting our land forward for planning, but they persist in doing so. We have no connection with R. Phillips and Partners nor do we wish to have any.</td>
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<td>3</td>
<td>Speaking at hearing session</td>
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**Summary:** Comments on Land at Risca Road

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**Document:** Schedule of MACs

**Accession No:** 3070.Z1

**Agent:** 23/06/2014

**Date Lodged:** C

**Type:** P

**Mode:** C

**Status:** M

**Status Modified:**

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### Matters Arising Changes Representations

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<td>RPS Group PLC</td>
<td>09/07/2014</td>
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**Document:** Schedule of MACs

**Policy:** MAC 8.2

**Summary:** Objection to revised Policy R6 MAC 8.2

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15/08/2014
Newport City Council Local Development Plan

Matters Arising Changes Representations
by: (No grouping)
Filtered to show: (all of) Stage=Z

Rep'n/Para/Policy Representer Agent Accession No Date Lodged Late? Source Type Mode Status Status Modified

2 2 Full representation
Newport LDP: Matters Arising Changes Consultation
Comments on behalf of Johnsey Estates Ltd to MAC 8.2

1. The changes proposed to Policy R6 set out in MAC 8.2 are considered illogical and inappropriate. Policy R6 in the current Deposit LDP, amended simply to include Newport Retail Park District Centre, is considered to be perfectly adequate to deal with new proposals in that centre.

2. The first two criteria set out in the original policy R6 would enable the Council to test whether the proposal is of a scale appropriate to the district centre (criterion (i)) and whether the proposal would have an adverse impact on the vitality and viability of the City Centre (criterion (ii)). Also Policy SP20 (SP19 in MAC version) requires that a hierarchical approach is taken to the sequential test.

3. The revised criterion (iii) in R6 effectively repeats the test in criterion (ii) but if specific attention is needed to this point then it could be included in the supporting text.

4. Clearly the proposal to amend the wording of Policy R6 to include areas adjacent to other centres but not NRPDC is of particular relevance if the defined centre excludes the land currently within the defined centre.

5. For the reasons set out in our original submission to the LDP it is entirely illogical to exclude the JEL site from the centre since this land supports town centre uses in its entirety (A1, A3 and D2 uses), represents an integral part of the whole and lies sandwiched between the LDP defined centre and the Eastern Expansion Area which it is meant to serve. To artificially declassify it, separate it from the whole and place it on an equal footing with ad hoc out of centre sites is illogical and contrary to the principles of sustainability. It also appears contrary to the objectives set out in revised paragraph 8.20.

6. It is not well founded to suggest that the revisions to policy are essential to the future of the city centre. Within the context of the current policy framework, which effectively reflects current Policy R6, the Council has refused application proposals at NRPDC and seen the implementation of the Friars Walk scheme. New LDP Policy SP20 (SP19 in MAC) gives added emphasis to the intended hierarchical approach.

7. Effective control over future development at NRPDC would exist with the framework provided by the Revised Deposit LDP Policy R6, but amended to include NRPDC within the list of centres. Therefore it is considered that Policy R6 in the Matters Arising Changes should be amended as set out below:

Proposed Revision to Policy R6 as set out in MAC 8.2
WITHIN AND ADJACENT TO THE FOLLOWING DISTRICT CENTRES:

- BEECHWOOD DISTRICT CENTRE
- CAERLEON DISTRICT CENTRE
- CAERLEON ROAD DISTRICT CENTRE
- COMMERCIAL ROAD DISTRICT CENTRE
- CORPORATION ROAD DISTRICT CENTRE
- HANDPOST DISTRICT CENTRE
- MAINDEE DISTRICT CENTRE
- MALPAS DISTRICT CENTRE
- NEWPORT RETAIL PARK DISTRICT CENTRE

IMPROVED SHOPPING FACILITIES WILL BE FAVOURED PROVIDED THAT:

i) THE PROPOSAL IS OF A SCALE APPROPRIATE TO THE PARTICULAR CENTRE;

ii) THE PROPOSAL WOULD NOT HAVE AN ADVERSE IMPACT ON THE VITALITY AND VIABILITY OF THE CITY CENTRE;

iii) THE PROPOSAL IS FULLY ACCESSIBLE ON FOOT, BY BICYCLE AND BY PUBLIC TRANSPORT;
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<tr>
<td>iv) SATISFACTORY CAR PARKING, ACCESS AND SERVICING ARRANGEMENTS EXIST OR CAN BE PROVIDED.</td>
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<td>3 3 Speaking at hearing session</td>
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If the Inspector decides to hold a further hearing session then we would wish to have the opportunity to speak but otherwise we would be happy to rely on our written comments.
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<td>1</td>
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Representations are set out in full on the accompanying letter (Savills, 1 August 2014). The changes sought are as follows:

1) Reference to the MBS site is removed from the supporting text / list of sites under Policy EM1; and
2) Allocation of Policy EM1 is removed from site on the proposals map.

Effectively, our request is that the site is retained as white land within the Local Development Plan proposals map in order to allow a range of different uses to be considered.

In addition, Paragraph 6.24 should be revised in order to allow flexibility on allocated employment sites as follows:

"6.24 The Policy relates to the assessment of alternative development proposals on business, industrial and warehousing land. It applies to all land and buildings within the B1, B2 and B8 Use Classes Order. The Policy should be used in relation to established employment areas; and when assessing alternative proposals on new employment allocations set out in Policy EM1, will be resisted."

Savills has previously made written representations on behalf of Redrow Homes (South Wales) Limited (RHSW) (Representor no. 3195) to the revised Deposit Local Development Plan (LDP) in respect of the Monmouthshire Bank Sidings (MBS) site. Savills has also made representations as part of Hearing Session 7: Employment.

Background

Essentially, the representations have sought to:

- Remove an area of 1.2ha of land controlled by RHSW from the EM2 policy designation (as was) on the proposals map;
- Remove references to the need to develop the 1.2ha for B1, B8 or healthcare uses; and
- Have no designation on the site to allow maximum flexibility for the context of future planning applications to make use of this brownfield area of land.

Matters Arising Changes (MAC) within 6.1 (effectively a new employment chapter) now propose to include the site in question within Policy EM1, and for B1 use only. In combination with proposed Policy EM3, the MAC changes set out a far more onerous position if, as expected, B1 occupiers are not attracted to the site in question.

Rationale for excluding the 1.2ha of land from the employment land use area

The rationale for excluding the 1.2ha of land from an employment allocation has been well rehearsed through previous representations. For clarity, these are set out again below.

Evidence presented at the Public Inquiry in to the S78 appeal reviewed the rationale and justification for removing 1.2ha of land on the MBS site from the residential land area.

Evidence was presented to the Inquiry by a Savills Office Agency Director setting out why the MBS site was poorly located in order to attract high profile B1 office users.

The site was considered to be, at best, a fringe location in terms of offices. The main city centre retail area is over 1 mile from the site whereas the nearest M4 junction (J28) is circa 1.5 miles to the west. The view expressed was that it was too far away from any main transport hub and in an inferior location to the motorway junction business parks that serve Newport (Celtic Springs and Langstone) to be competitive.
A development of B1 offices at MBS was considered at the time, and is still considered, to represent a fragmentation of the professional and business community in Newport. The conclusion was that there are a wide variety of sites which would be more attractive to office developers / occupiers compared with the MBS sites due to their superior locations. This remains to be the case today.

The office market in Newport was considered in the evidence, with notable large scale Grade A office vacancies at Celtic Springs and better located development sites within the city centre at Godfrey Road and George Street. Four years on from the Inquiry, the same vacancies remain.

Whilst the marketing exercise required by the S106 will ultimately determine if there is market interest in the site for B1 uses, there is no overriding reason as to why the site is particularly suited in land use terms to B1 uses. This was accepted by the Inspector in his reasoning set out in the decision notice.

The Inspector also accepted evidence presented to the Inquiry that there was an abundance of unconstrained employment land in Newport. At paragraph 209, the Inspector makes reference to an agreed position whereby 65 years worth of unconstrained employment land was available. The Inspector noted that in addition to that, there was much more employment land that could come forward in the longer term. Notwithstanding any arguments relating to need, but also noting that employment use of the white land would hold benefits in sustainability terms and social cohesion, he found no compelling evidence to conclude that the reduced amount of employment land on the MBS site would materially reduce the possibility of employment opportunities coming forward on the adjacent site. The adjacent site was also allocated under Policy EM2 (xiii).

The Inspector concluded at paragraph 214 that there was no need for additional employment land to be considered as part of the context of the Policy H1 allocation (from the Unitary Development Plan).

The Inspector went on to consider linkages between the MBS site and the adjacent Whitehead Works site.

The conclusion indicates that there is no requirement to secure the white land for B1 uses specifically in order to compliment any future development on the adjacent site.

All of the above leads to the conclusion that there is no firm justification or rationale for allocating the land for B1 uses only.

Impact of MACs

The rationale of the MACs appears to be to consolidate the sites previously allocated under EM2 into the main employment sites and, to increase the protection of the sites by including them within a more onerous protection policy. Proposed Policy EM3 adds that alternative uses to employment on Policy EM1 will be resisted.

We maintain the view that including the MBS site within the prioritised sites for employment use undermines the strategy by including a site which is not particularly well suited and is unlikely to be attractive to employment uses in the future. There is no justification in terms of the quantum of land required for employment uses over the plan period. Including this land is counter productive in that respect as it will dilute the importance of retaining the prime employment areas.

The site is not considered to be attractive or particularly well suited to B1 land use given its fringe location and the availability of other superior sites within the plan area for such uses. Whilst ultimately the marketing exercise that RHWS are required to undertake will reveal if there is market demand for B1 uses, the lack of flexibility afforded by the more onerous designation under the revised policies (EM1 and EM3) is considered to be overly restrictive and could ultimately hinder the delivery of sustainable forms of development on the site.

Summary

In summary, the 1.2ha of land is not required for B1 uses in terms of any overriding need, locational advantages or in terms of the plan strategy.

We therefore object to the inclusion of the MBS site within revised Policy EM1 and request that:
1) Reference to the MBS site is removed from the supporting text / list of sites under Policy EM1; and
2) Allocation Policy EM1 is removed from site on the proposals map.

Effectively, our request is that the site is retained as white land within the LDP proposals map in order to allow a range of different uses to be considered. This is considered to be the most effective way forward to secure a use for the site and the economic benefits that will follow from development.

In addition, paragraph 6.24 should be revised in order to allow flexibility on allocated employment sites as follows:

*6.24 The Policy relates to the assessment of alternative development proposals on business, industrial and warehousing land. It applies to all land and buildings within the B1, B2 and B8 Use Classes
Speaking at hearing session

Order. The Policy should be used in relation to established employment areas; and when assessing alternative proposals on new employment allocations set out in Policy EM1, will be resisted."

In order to put the case fully on behalf of our client and to address any specific queries raised by the Inspector.

Item Question Representation Text

2 2 Full representation

MAC 5.8 - Policy H15
MAC 12.1 - Monitoring Targets

I am aware that changes are proposed to the Local Development Plan as a result of the recent public examination hearing meetings, and I would request that you take into account my following comments on the changes relating to the Gypsy and Traveller transit site allocation.

Although only a small section of the LDP, you will be aware from the volume of previous correspondence that this is a very sensitive topic.

It is noted that MAC 5.8 seeks to delete the proposed Celtic Way Gypsy and Traveller transit site, meaning that the Former Ringland Allotments site becomes the allocated transit site rather than a contingency site.

Throughout the development of Newport's LDP, the Council has received clear unequivocal advice from the Welsh Government that our Plan must meet our housing needs, including those of the Gypsy and Traveller community. It is therefore of considerable concern that other South East Wales Authorities have not been provided with the same advice. Cardiff City Council's Deposit LDP does not allocate any pitches to meet its identified transit site need, and yet this has not received a strong objection from the Welsh Government regarding the soundness of their plan. Instead it is noted that this matter could be addressed at a regional level in a future Strategic Development Plan. A very similar response has been provided to the Vale of Glamorgan Council in relation to its plan.

As a Newport City Councillor, I fully support the regional approach to transit site provision now advocated by the Welsh Government, and would request that the same approach is taken for Newport.

Planning for a transit site at a regional level is a far more appropriate response to this regional-scale topic, and would also result in a more efficient use of scarce public funding to deliver the sites to meet the South East Wales region's needs. It would also mean that Newport City Council is not treated unfairly in comparison to neighbouring Authorities.

I would therefore request that the LDP be amended to delete the Gypsy and Traveller transit site allocation at the Former Ringland Allotments and instead a monitoring target introduced to allow for transit sites to meet the regional need to be planned and delivered on a regional basis as advocated by the Welsh Government and emerging Planning Bill.
### Matters Arising Changes Representations

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**Document:** Schedule of MACs

**Summary:** Requests to speak at any further hearing sessions

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### Matters Arising Changes Representations

**Policy:** MAC 15.2  
**Summary:** Objection to revised village boundary of Christchurch MAC 15.2

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*Additional material submitted*
This statement is to accompany a submission for representations on matters arising changes to Newport Local Development Plan.

Firstly, with regard to some background information, and application was made to have land behind the above address included in the settlement boundary on the first round of consultations. When a second round of invitations came out I phoned the council and enquired if I needed to re-submit as I had previously done so. I was advised I didn’t need to and as a consequence the site was not included within the candidate site register, therefore this is the only opportunity to put forward our case.

The following may seem a bit drawn out and detailed but we feel it necessary to provide clarity in some unclear correspondence.

**ESTABLISHMENT OF DOMESTIC CURTILAGE**

The land at the rear of 19 Oldhill Crescent is approximately 3.2 acres and is owned by Mr Pratt of 19 Oldhill Crescent. Over a period of years Mr Pratt has been using part of this land as an extended garden which came to light in 1999 and initiated an investigation by Newport Council enforcement department. It was resolved by Paula Clarke the Council enforcement officer that a material change of use from Agriculture to residential curtilage had taken place due to its use for excess of 10 years. Although the photographic evidence and supporting letters issued to the council at that time appear to be no longer available historic aerial photos from google earth can verify the extent of the land utilised from the rear of no.s 19 to 29 Oldhill Crescent. Some years later in 2009, a complaint was made to Newport Planning Enforcement that Mr Pratt had been tipping material on land to the Rear and East of 25 Oldhill Crescent, Enforcement no. E09/0594. It is important to make note that this enforcement letter refers to ‘Land to rear and East of no. 25’. From the attached plan in appendix 1 you will see that from the orientation of all the properties that only the access road ‘Oldhill Crescent’ is East and therefore it is likely that there has been an error in referencing made by the council officer, if the officer has only wanted to reference the land behind No.19 then accordingly the use of ‘and East’ would not be required and therefore does refer to land in addition to the rear. This will become more apparent. Councillor Gail Giles was asked to be involved by Mr Pratt and exchanged emails with the then enforcement officer Sophie Berry. Within these emails it was established that the material to the rear of no.25 Oldhill Crescent were tree cuttings belonging to Mr Pratt and that the site history suggests that the domestic curtilage has been extended for over 10 years. The follow up letter from Sophie Berry on 16th July 2009 confirms ‘tipped material is removed from land to the rear of No.19 Oldhill Crescent’ (this had already been located behind no.25) and change of use had occurred back in 1999. This letter also is still entitled ‘Land to the rear and East of 19 Oldhill Crescent’ which clearly should read Rear and North. All enforcement letters and emails are in appendix 1.

During the early process of establishing the domestic curtilage it was request of Newport Council Planning Department for documents relating to when and why No. 17 Oldhill Crescent had extended their garden into the countryside and then had it included within the settlement boundary (see plan in Appendix 1). After some time the planning department emailed informing me that there appears to be no documentation on why the garden to the rear of No. 17 was included within the settlement boundary, copies of these emails are attached in appendix 2.

Finally, attached in Appendix 2 is an extract from the Welsh Government Comments: Matters arising Session 1 – Development Strategy, which states that ‘Village Boundaries should follow defensible features such as property curtilages’.

- Property curtilage has been proved beyond doubt.

It also states ‘The Council should amend the boundary accordingly and ensure a consistent approach’.

- Unless the whole of the proven defined domestic curtilage is included within the settlement then this cannot be consistent.

The above evidence and available online photographic evidence prove beyond doubt that the land is now domestic curtilage. The Council Planning Policy are still of a mind to dispute the extent of the curtilage but this is a contradiction of the Publication ‘Settlement Boundary Methodology’ by Newport Council which states and shows the extent of the curtilage and that is not in dispute. A copy is also in appendix 1.

**SUITABILITY FOR INCLUSION WITHIN THE SETTLEMENT BOUNDARY**

As we were unable to make our formal representation I have attached in appendix 2 a completed ‘Newport City Council Candidate Sites form’ to highlight the suitability of the site. Having reviewed the Councill’s scoping of Christchurch I noticed an error in the Village table, there appears to inform of no hourly bus service for Christchurch. I have attached within appendix 2 a bus timetable from Newport Council Transport which shows there is an hourly bus service adding 2 points. This is highlighted only to prove the sustainability of the site. The site is well connected by bus, hourly service into the City Centre and hourly service to Spytty Retail Park, by car where access to the M4 motorway East and West and the A449 North are only minutes away. There is also a Premier supermarket 0.46 mile walk and Tesco express 0.52 mile walk not to mention the in Village amenities, Local pub and restaurant, Church, Community Hall, Scouts Hall.
Planning Policy Wales 2010 encourages development on Brownfield sites and as Domestic curtilage has been established it becomes part of the House unit enjoyed by the property, and in turn becomes 'Previously Developed Land' as defined in PPW2010.

Attached also in Appendix 3 is emails between Newport planning policy and attached in Appendix 4 is in the original report submitted with a planning application.

3683.Z1  
Natural Resources Wales  
01/08/2014  
M

Item Question  Representation Text

1 1  MAC reference

General Comment

While we broadly welcome the content of many of the changes, there is frequently inconsistency in paragraph numbering in the composite LDP and the Matters Arising Changes (MAC) consultation itself, which has created some confusion when responding to the proposed changes consultation. We anticipate that the correct references will be provided in the adopted Plan, and our comments are provided based on the references in the composite plan.

3683.Z2/MAC 2.2  
Natural Resources Wales  
01/08/2014  
M

Item Question  Representation Text

1 1  MAC reference

MAC 2.2 (SP2 Health)

2 2  Full representation

We support the clarification for other green infrastructure provided in this proposed amendment in Strategic Policy SP2 Health.
## Matters Arising Changes Representations

**Document:** Schedule of MACs  
**Policy:** MAC 2.3, MAC 2.4  
**Summary:**

1. **MAC 2.3 (SP3 Flood Risk)**
   - **Full representation**
   - We agree with MAC 2.3 to amend paragraph 2.18 to ensure total range of flood mitigation approaches are noted in the supporting text to read "There is a clear requirement to address the issue of flood risk and flood resilience and resistance measures in developments". We note that the Plan sets out its approach to flood risk in Policy GP1: Climate Change.

2. **MAC 2.4; MAC 2.5 (SP5 Countryside)**
   - **Full representation**
   - We welcome the clarification provided in these proposed amendments (grammar and cross referencing).

---

### 3683.Z3/MAC 2.3  
**Representor:** Natural Resources Wales  
**Accession No:** 01/08/2014  
**Date Lodged:** 01/08/2014  
**Late:** E  
**Mode:** M  
**Status:**

### 3683.Z4/MAC 2.4  
**Representor:** Natural Resources Wales  
**Accession No:** 01/08/2014  
**Date Lodged:** 01/08/2014  
**Late:** E  
**Mode:** M  
**Status:**
### Natural Resources Wales

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<tr>
<td>MAC 2.6 (SP6 Green Belt)</td>
<td>We welcome the clarification provided in relation to proposals to reflect the deletion of the proposed extension to the Green Belt and clarify the acceptable level volume increases to dwellings in the designated area.</td>
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### Natural Resources Wales

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<td>MAC 2.7 (SP7 Green Wedge)</td>
<td>We welcome the clarification provided in the proposed amendment to reflect the addition of the proposed Green Wedge and clarify the acceptable level volume increases to dwellings in the designated area.</td>
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### Matters Arising Changes Representations

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**Document:** Schedule of MACs  
**Policy:** MAC 2.10  
**Summary:** Welcome the clarification of the boundary and refer to previous comments on the drainage system associated with development at Llanwern

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<td>MAC 2.10 (SP11 Eastern Expansion Area)</td>
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<td>We welcome the clarification of the Eastern Expansion Area boundary, and consider that this change meets Test of Soundness CE1. We also refer you to our previous comments to the Revised Deposit Plan Policies H1 (47) Glan Llyn, and H1 (55) regarding the closed drainage system that operates at the Llanwern site currently and the dedicated system into the Severn Estuary (Our letter dated 26th July 2013, ref 1898716/C.09.90.07).</td>
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### Additional Representation

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**Document:** Schedule of MACs  
**Policy:** MAC 2.12  
**Summary:** Welcome the clarification that the policy will be applied adjacent to settlement boundaries

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<td>2 2</td>
<td>We welcome the clarification provided in the proposed amendment as to where the policy will be applied adjacent to the defined urban and village settlements or the community that the facility is serving.</td>
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### Matters Arising Changes Representations

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**Document:** Schedule of MACs

**Policy:** MAC 2.13

**Summary:** Welcome the clarification as to where development proposals will be subject to S106 and CIL

**Item Question**

1. **MAC reference**
   - MAC 2.13 (SP13 Planning Obligations)

**Representation Text**

We previously supported the inclusion of Policy SP13 and we further welcome the clarification provided in the proposed amendment as regards to where development proposals will be subject to S106 Obligations and where subject to CIL. Our view is that the material arising change would meet the Test of Soundness C2.

---

| **3683.Z10//MAC 2.2** | Natural Resources Wales | | 01/08/2014 | M | | | | | | |

**Document:** Schedule of MACs

**Policy:** MAC 2.17

**Summary:** Highlight the need to protect St Brides SSSI during construction and operation of Road Scheme.

**Item Question**

1. **MAC reference**
   - MAC 2.17 (SP16 Major Road Schemes)

**Representation Text**

We refer you to our comments to the Revised Deposit Plan SP16(i) for a recommended amendment to new paragraph 2.58 in the composite plan, given the juxtaposition of the Junction 28 Interchange scheme and the Gwent Levels – St Brides SSSI. We sought amendment to clarify that the dock feeder, which provides water to the Gwent Levels - St. Brides SSSI will need to be protected during the construction and operational period of the scheme to protect the water quality entering the SSSI at this location.
Matters Arising Changes Representations

Filtered to show: (all of) Stage=Z

Rep'n/Para/Policy     Representor                        Agent              Accession No Date Lodged Late?   Source   Type    Mode     Status     Status Modified

3683.Z11//MAC 2.     Natural Resources Wales

Document:Schedule of MACs

Policy: MAC 2.18

Summary: Note the need for text to change to reflect different buffer areas.

Item Question  Representation Text

---

1 1  MAC reference

MAC 2.18 (SP16 Major Road Scheme)

2 2  Full representation

We welcome the changes made to the supporting text, and our view is that these changes meet Test of Soundness C2. However, as stated in our previous comments to the Revised Deposit Plan (July 2013) we recommend that the sentence beginning: “The Reen must be maintained…” is amended to make provision for “a minimum of 12.5m of bank side habitat…” rather than the current “a minimum of 5m…” This amendment would be in line with amendments discussed at the LDP examination and suggested text provided by us, and consistent with The Nature Conservation and Physical Development on the Gwent Levels (produced by the former the Countryside Council for Wales (CCW), and adopted by Natural Resources Wales), and with provisions included in paragraphs 2.61 and 2.62 of the Plan (To meet Test of Soundness CE1).

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3683.Z12//MAC 2.     Natural Resources Wales

Document:Schedule of MACs

Policy: MAC 2.19

Summary: Note the need to reference additional reens to the Percoed Reen and different buffer areas.

Item Question  Representation Text

---

1 1  MAC reference

MAC 2.19 (SP17 and SP18)

2 2  Full representation

We welcome the reference to statutory designations in paragraphs 2.74 to 2.75 of the composite Revised Deposit Plan MAC version June 2014. The penultimate sentence of paragraph 2.74 states that paragraphs 2.61 -2.63 of the Plan (that is, the reasoned justification of Policy SP16 Major Road Schemes) provide more information on how development should protect the features of a SSSI. However, paragraph 2.62 Revised Deposit Plan: MAC Version (June 2014) relates only to the Percoed Reen, and not to other reens or ditches within the Gwent Levels SSSI network. We therefore recommend that the following text is added to the penultimate sentence to paragraph 2.73 of appendix 1 (paragraph 2.74 in the composite Revised Deposit Plan MAC version June 2014):

and further guidance is contained in “The Nature Conservation and Physical Development on the Gwent Levels” (produced by the former the Countryside Council for Wales (CCW), and adopted by Natural Resources Wales), which recommends the retention of a minimum 7m of bank side habitat alongside field ditches, and 12m alongside reens to safeguard the special interest of Gwent Levels SSSIs.

This approach would be consistent with provisions, in relation to flood risk, set out in paragraph 2.16 of the Revised Deposit Plan: MAC Version (June 2014), and therefore would ensure that these paragraphs meet Test of Soundness CE1.

Additionally, for accuracy and clarity, paragraph 2.74 should be amended by inserting ‘Gwent Levels: St Brides’ in front of ‘Site of Special Scientific Interest’ in the 6th line.
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<td>M</td>
<td>01/08/2014</td>
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<td>E</td>
<td>M</td>
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Document: Schedule of MACs

Policy: MAC 2.22

Summary: Welcome the proposed changes to reflect the RTS.

**Item Question**  
**Representation Text**

1. MAC reference

MAC 2.22 (SP22 Minerals)

2. Full representation

At the revised deposit plan stage it was our view that Strategic Policy SP22 on Minerals met Tests of Soundness C2 and CE1. We further welcome the proposed change to reflect the reviewed status of the Regional Technical Statement and consider that this change also meets Test of Soundness C2.

---

| 3683.Z14//MAC3.2 | Natural Resources Wales | M | 01/08/2014 | | | E | M |

Document: Schedule of MACs

Policy: MAC3.2

Summary: Welcome the changes and suggest grammatical amendment.

**Item Question**  
**Representation Text**

1. MAC reference

MAC 3.2 (GP5 Natural Environment)

2. Full representation

We welcome the clarification provided in the amendment, and consider that the change to clarify the Council’s position on the loss of biodiversity, meets Test of Soundness C2. Although not covered by the MAC changes, for accuracy the word ‘or’ should be deleted following Natural Environment and Rural Communities Act 2006 in paragraph 3.27.
### 3683.Z15//MAC 3.

**Natural Resources Wales**

**Policy:** MAC 3.3

**Summary:** Reference to legislation is consistent, final sentence is unclear and a suggested alternative given.

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<tr>
<th>Item</th>
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<tbody>
<tr>
<td>1</td>
<td>MAC reference</td>
<td>MAC 3.3 (GP5 Natural Environment)</td>
</tr>
<tr>
<td>2</td>
<td>Full representation</td>
<td>We recommend that references to relevant legislation should be consistent throughout the Plan. We therefore recommend that the first sentence of paragraph 3.24 should end “... protected under the Wildlife and Countryside Act 1981 (as amended)”. The proposed additional text in the last sentence of the paragraph is confusing, and its intended purpose is unclear. Given the provision which already exists in; paragraphs 3.23 and 3.24 of the Revised Deposit Plan (July 2013) in relation to statutory designations, and paragraph 3.26 in relation to protected species, we assume the intended purpose of the proposed new text is to protect habitat connectivity. If this is the intended purpose of the proposed new text, we recommend that it is replaced with a new paragraph that reads as follows: “Development will be required to protect and where appropriate, enhance ecological connectivity by retaining linear landscape features such as trees, hedgerows, and streams.”</td>
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### 3683.Z16//MAC 5.

**Natural Resources Wales**

**Policy:** MAC 5.1

**Summary:** Numbering is different between MAC version of the Plan and consultation document.

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<tr>
<td>1</td>
<td>MAC reference</td>
<td>MAC 5.1 (Housing Sites) and MAC 15.12 (SP5 Countryside)</td>
</tr>
<tr>
<td>2</td>
<td>Full representation</td>
<td>We welcome the clarification provided in the new paragraph 5.3 of the Revised Deposit Plan: MAC Version (June 2014). However, its numbering is different to that included in Appendix 2 of the consultation document. This will need to be clarified and amended.</td>
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<tr>
<td>Document</td>
<td>Policy</td>
<td>Summary</td>
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</tr>
<tr>
<td>Natural Resources Wales</td>
<td>MAC 5.1</td>
<td>Housing Site - Uskside Paint Mills should form part of HRA</td>
</tr>
<tr>
<td>Natural Resources Wales</td>
<td>MAC 5.4</td>
<td>Consider the amendment meets the test of soundness</td>
</tr>
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Matters Arising Changes Representations

by: (No grouping)
Filtered to show: (all of) Stage=Z
Rep’n/Para/Policy (all of) Accession No Date Lodged Late? Source Type Mode Status Status Modified

3683.Z19//MAC 6. Natural Resources Wales

Document: Schedule of MACs
Policy: MAC 6.1
Summary: Inconsistencies in paragraph numbering, Need for reference to other Reens and SSSI rather than just Percoed Reen

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<th>Item</th>
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<tr>
<td>1</td>
<td>MAC 6.1 (Chapter 6 Employment) Paragraphs 6.7, 6.9, 6.12, 6.13</td>
<td>As a result of discussion at hearing session, the entire chapter concerning employment has been rewritten and is set out in Appendix 4. Our view is that there is inconsistency in the paragraph references between the text in the MAC changes schedule and the composite Revised Deposit Plan MAC version. The references in the MAC schedule are incorrect, as paragraphs 6.7 and 6.9 refer to paragraph 2.56 of the LDP for reference on how developments affecting Percoed Reen will need to be addressed. The reference is more correctly stated in paragraph 6.7 of the composite Plan as paragraphs 2.61-2.63. Notwithstanding that drafting error in the MAC schedule, as referenced for MAC 2.19 above, paragraph 2.61 Revised Deposit Plan: MAC Version (June 2014) relates only to the Percoed Reen, and not to other reens or ditches within the Gwent Levels SSSI network. To ensure that adequate protection is afforded to the wider Gwent Levels SSSIs and not simply Percoed Reen we recommend that the following text is added after the penultimate sentence of paragraphs 6.7 and 6.9 “Guidance is provided in &quot;The Nature Conservation and Physical Development on the Gwent Levels (produced by the former Countryside Council for Wales and adopted by Natural Resources Wales),&quot; which recommends the retention of a minimum 7m of bank side habitat alongside field ditches, and 12m alongside reens to safeguard the special interest of Gwent Levels SSSIs.” and that similar text is added to paragraphs 6.12 and 6.13. Alternatively to avoid duplication if suggested change to MAC 2.19 above is accepted by the Council, reference could be made to paragraph 2.62 of the LDP in Paragraphs 6.7, 6.9, 6.12 and 6.13 of the Plan. Additionally paragraphs 6.9, 6.12 and 6.13 should refer to paragraph 2.62 as well as paragraphs 3.23-3.28. This approach would be consistent with provisions, in relation to flood risk, set out in paragraph 2.16 of the Revised Deposit Plan: MAC Version (June 2014), and therefore would ensure that these paragraphs meet Test of Soundness CE1. Further, we recommend that the paragraphs should name the relevant SSSIs in full: □ Paragraph 6.7 should refer to the Gwent Levels - St Brides SSSI. □ Paragraphs 6.9 and 6.12 should refer to the Gwent Levels - Nash and Goldcliff SSSI. Paragraph 6.13 should refer to the Gwent Levels – Redwick and Llandevenny SSSI.</td>
</tr>
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</table>

15/08/2014
Natural Resources Wales

Document: Schedule of MACs

Policy: MAC 7.1

Summary: The location of the railway station at Coedkernew is not on the Plans and is thought to be located in a SSSI.

Item Question Representation Text

1 1 MAC reference

MAC 7.1 (T1 Railways)

2 2 Full representation

We note the proposed amendments to Policy T1 Railways and its supporting text. As neither the proposals map nor constraints map contain any indication as to where the Coedkernew station is likely to be located, we presume it will be along the existing railway line, and therefore within the Gwent Levels – St Brides SSSI. It is therefore not clear where the evidence to support the statement in paragraph 7.9 that the station at Coedkernew ‘would be located within a major employment area’ has been derived from.

To meet test of soundness CE2 we recommend that the text is clarified and amended accordingly.

Natural Resources Wales

Document: Schedule of MACs

Policy: MAC 9.3

Summary: Support the deletion of the school sites in Duffryn

Item Question Representation Text

1 1 MAC reference

MAC 9.3 (CF13 School Sites)

2 2 Full representation

Given the potential adverse impact on the Gwent Levels - St Brides SSSI from development at Duffryn High and land South of Percoed Lane, Duffryn, we support the deletion of these sites from the Plan. We consider this amendment meets Test of Soundness CE1.
### Matters Arising Changes Representations

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<td><strong>3683.Z22//MAC 12</strong></td>
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**Policy:** MAC 12.1  
**Summary:** Note the revised Monitoring Framework

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<tbody>
<tr>
<td>1</td>
<td>MAC reference</td>
<td>MAC 12.1 Monitoring Framework</td>
</tr>
<tr>
<td>2</td>
<td>Full representation</td>
<td>We note that due to the number of changes suggested a revised Monitoring Framework Chapter is set out in Appendix 5 in order to ensure the Monitoring Framework is appropriate and fit for purpose.</td>
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<tr>
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<tr>
<td><strong>3683.Z23//MAC 12</strong></td>
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**Policy:** MAC 12.1  
**Summary:** Welcome the proposed indicator to monitor greenfield land lost to development

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<th><strong>Item</strong></th>
<th><strong>Question</strong></th>
<th><strong>Representation Text</strong></th>
</tr>
</thead>
</table>
| 1        | MAC reference | MAC 12.1 Monitoring Framework  
Objective 1 - Sustainable Use of Land  
OB1 MT2 |
<p>| 2        | Full representation | In regard to monitoring Greenfield land lost to development (unless it is in accordance with policies within the Plan), we welcome the proposed monitoring indicator, target and trigger point. |</p>
<table>
<thead>
<tr>
<th>MAC reference</th>
<th>Full representation Text</th>
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<tbody>
<tr>
<td>MAC 12.1 Monitoring Framework Objective 1 - Sustainable Use of Land OB2 MT3</td>
<td>We support monitoring of development permitted in flood risk areas given in OBJ MT3.</td>
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<tr>
<th>MAC reference</th>
<th>Full representation Text</th>
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<tbody>
<tr>
<td>MAC 12.1 Monitoring Framework Objective 2 - Climate Change OB2 MT3</td>
<td>We support monitoring of planning permissions granted with regard to water quality and quantity; and wastewater provision, and water efficiency, which should be in accordance with the requirements of the Water Framework Directive.</td>
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Matters Arising Changes Representations

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Rep'n/Para/Policy     Representor                                                                      Agent              Accession No    Date Lodged    Late?   Source   Type    Mode     Status     Status Modified

3683.Z26//MAC 12   Natural Resources Wales

Document: Schedule of MACs
Policy: MAC 12.1
Summary: Suggest a number of amendments to monitoring indicators and the creation of a new indicator for habitat creation and restoration

Item Question Representation Text

1 1 MAC reference

MAC 12.1 Monitoring Framework
Objective 6 - Conservation and the Natural Environment
OB6 MT1

2 2 Full representation

We welcome the inclusion of an indicator to monitor the impact of the Plan on SINCs and SSSIs. However, as currently drafted the indicator, target and trigger only reflects the loss of SSSI or SINC area to development. The features for which these sites may be notified/ designated may be affected by development located outside the boundary of the designations. The monitoring framework should be amended to reflect the potential impact from development located within and outside of an SSSI.

Further, the monitoring framework should also include a provision to monitor the impact of the Plan on protected species, Natura 2000 sites or protected landscapes.

We therefore suggest the following amendments to the monitoring framework in the table below:

Relevant LDP Policies /Core and Local Indicators /Source of Information /Monitoring Target /Trigger Point

1. OB6 MT1 GP5 / Number of planning applications granted which have an adverse effect on the integrity of a Natura 2000 site. / NCC Development Management / No planning applications approved contrary to the advice of NRW. / 1 planning permission granted by the Local Planning Authority contrary to the advice of NRW.

2. OB6 MT3 GP5 / Number of planning applications granted which may potentially adversely affect the features of a SSSI or SINC. / NCC Development Management / No planning applications approved contrary to the advice of NRW or the authority's ecologist. / 1 planning permission granted by the Local Planning Authority contrary to the advice of NRW or the authority's ecologist.

3. OB6 MT4 GP5 / Number of planning applications granted which results in detriment to the favourable conservation status of European protected species or significant harm to species protected by other statute. / NCC Development Management / No planning applications approved contrary to the advice of NRW or the authority's ecologist. / 1 planning permission granted by the Local Planning Authority contrary to the advice of NRW or the authority's ecologist.

4. OB6 MT5 SP8 / Number of planning applications permitted which result in the loss of or will have an adverse effect on a Registered Historic Landscape or a Special Landscape Area. / NCC Development Management / NRW LPA landscape or Heritage officer / No planning applications approved contrary to the advice of NRW or the authority's landscape / heritage officer. / 1 planning permission granted by the Local Planning Authority contrary to the advice of NRW or the authority's landscape / heritage officer.

We would also be supportive of measures to monitor habitat creation and restoration, which could be extended to include green infrastructure.
Matters Arising Changes Representations

3683.Z27//MAC 14
Natural Resources Wales

01/08/2014 M

Summary: Need for natural heritage designations to be identified on the proposals maps.

Item Question Representation Text
1 1 MAC reference
 MAC 14.1 (insert a list of all proposals/designations and constraints as shown on the Proposals and Constraints Maps)

2 2 Full representation

The matters arising change to the Plan seeks to provide clarity as to the entire list of proposals/designations and constraints as shown on the Proposals and Constraints Maps. As stated in our response to the Revised Deposit Plan proposals Map and discussed at the LDP examination, paragraph 5.4.6 of Planning Policy Wales (Edition 6, 2014) and 2.24 of Local Development Plans Wales (2005) specifies the need for natural heritage designations (of various types) to be clearly identified on the Plan’s Proposals Maps.

In line with national policy requirements, to ensure that the natural heritage features protected by Policy GP5 within the Plan are appropriately identified on the Proposals Map and to meet Test of Soundness C2 we therefore recommend that natural heritage designations are clearly identified on the Proposals Map, rather than the Constraints Map.

3683.Z28//MAC 15
Natural Resources Wales

01/08/2014 M

Summary: Not clear where the justification for the MAC change has come from

Item Question Representation Text
1 1 MAC reference
 MAC 15.1 (SP15 Countryside)

2 2 Full representation

The matters arising change intends to correct M4 safeguarded corridor reduced EM1 (ii) and EM1 (iv), which consequently changes the Urban Boundary. We would make the following observation; We note that the boundary has moved northwards due to the correct plotting of the M4 safeguarded corridor, but it is not clear where the justification for the statement ‘as a result of the reduced allocations’ originates, given that MAC 6.1 proposes to increase the allocation at Dyffryn (EM1 i), and there is no change in the areas allocated for EM1 ii and EM1 iii.
### Matters Arising Changes Representations

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| 3683.Z29//MAC 15  | Natural Resources Wales | 01/08/2014   | E           | M    | Document: Schedule of MACs  
Policy: MAC 15.6  
Summary: Refer to previous comment 3683.Z28  
**Item Question**  
MAC reference  
MAC 15.6 (SP8 Special Landscape Area)  
**Representation Text**  
Full representation  
Please refer to our comments to MAC 15.1 above. |
| 3683.Z30//MAC 15  | Natural Resources Wales | 01/08/2014   | E           | M    | Document: Schedule of MACs  
Policy: MAC 15.10  
Summary: Coastal Zone boundary should reflect the Shoreline Management Plan area for Newport  
**Item Question**  
MAC reference  
MAC 15.10 (CE 10 Coastal Zone)  
**Representation Text**  
As stated in our response to Revised Deposit Plan Policy CE10; As the River Usk’s tidal limit is at Newbridge on Usk, beyond Newport’s boundary. The Proposals Map should identify the continuation of the Coastal Zone along the River Usk to Newport’s administrative boundary. This change would be consistent with the Shoreline Management Plan, and meet Test of Soundness C1. Please also refer to our comments to MAC 15.1 above regarding the ‘reduced’ allocations at EM1ii and EM1 iv. |
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Document: Schedule of MACs
Policy: MAC 15.16
Summary: Need to correct title of Welsh Coastal Path

Item Question | Representation Text
---|---
1 1 | MAC reference

2 2 | Full representation
We welcome the update to the Proposals Plan. However, for accuracy and consistency, reference should be made to the ‘Wales Coast Path’ rather than ‘All Wales Coastal Path’.

| Item Question | Representation Text
---|---
1 1 | MAC reference

Additional Comments
Although we note that the consultation is for Matters Arising Changes, we refer you to our letter of 26th July 2013, which asks the following, which we ask you to consider further:
- Amendment in respect of Strategic Planning Policy SP4 Water Resources, where we seek the enhancement as well as protection of water quality, given the requirements of the Water Framework Directive.
- Amendment in respect of detailed planning policy GP7, General Development Principles, Environment Protection and Public Health, where development will not be permitted which would cause or result in unacceptable harm to health and/or the natural environment.
3683.Z33//MAC 2.

Natural Resources Wales

Document: Schedule of MACs
Policy: MAC 2.18

Summary: Reference to buffer zones should be made throughout the Plan.

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<td>1</td>
<td>MAC reference</td>
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<td>2</td>
<td>2</td>
<td>Full representation</td>
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</table>

Further to our letter of 1st August 2014 (ref.SE/2008/105263/AC-01/EP1),
We wish to clarify the changes that we seek in reference to buffer zones and comments made in reference to paragraph 2.62 linked to MAC 2.18 (SP16 Major Road Schemes). The changes should reflect guidance contained in "The Nature Conservation and Physical Development on the Gwent Levels" (produced by the former the Countryside Council for Wales (CCW), and adopted by Natural Resources Wales), which recommends the retention of a minimum 7m of bank side habitat alongside field ditches, and 12m alongside reens to safeguard the special interest of Gwent Levels SSSIs. These requirements also apply to changes in text throughout the Plan.
After reviewing the recent change to add the Ringland allotments as the preferred site for the Gypsy/Traveller transit site I have to say I’m very upset & worried by this. If the proposed sites go ahead as they are planned, my house will be sandwiched between a permanent residential site in front and a transit site behind. This will affect my family and I considerably. My property will become unsellable and we will be trapped in this situation. I hope you will consider the prospect of this if you put yourself in my position. I bought a house for my family in a semi-rural location, 2 weeks after the exchange and I had the keys the Council changed the LDP and swapped the land in front of my property from being a housing development to a Gypsy/Traveller site and the land behind from a Former Allotment site due to be the opening to the Llanwern Development into a Gypsy/Traveller transit site. I’m sure you can appreciate that this is not exactly the location I thought it was going to be with the price tag I paid for it. I understand the need for sites but I have to appeal to you to consider this with the view of the impact this will have on the area, and my life. I suffer from depression and this will no doubt have a big impact on my future, it cannot be the right decision to put 2 sites so close together. I had the unpleasant experience of a Traveller Camp who arrived uninvited onto the land opposite my house, and I have written an account of that experience which I sent to the councillors of Newport, copied below for you. To date I have not had a single reply apart from Emma Corton who promised to circulate it. I have had the unfortunate experience of a Traveller camp at the proposed site (Road Safety Centre) at Hartridge Farm Road. The travellers arrived on Wednesday 16th April 2014 at approx. 7.30pm after breaking off the lock and gaining entry illegally.

This was not a pleasant experience, the volume of traffic in and out upset the animals at the RSPCA centre resulting in noise throughout the night. The movements were 24 hours which even I was a little surprised about. You do not expect to have that volume of traffic at 3, 4, 5 am. I had to keep my windows closed as the extra noise created by the vehicles and their occupants, and the resulting noise of the dogs then barking at the RSPCA Centre disturbed my children throughout the night. This is unacceptable.

Whilst the travellers were on the site I regularly spotted adults as well as children defecating in the middle of the grass, they have also left faeces down the lane adjacent to my property some with toilet paper and some without, again unacceptable behaviour. Travellers also trespassed into a neighbour’s garden claiming to be looking for Tesco, clearly you will not find Tesco in anyone’s back garden. The police have been informed and we were also cautioned by the police to keep an eye on our property and to take photographs of our furniture in case of an incident. We were also advised to keep an eye on our LPG tanks as this a popular target for the Gypsy/travellers to cypher. These warnings came from the Police that have dealings with the Gypsy/traveller community on a regular basis. Mark Hands comments of “it’s a fear of the unknown” unfortunately it’s quite the opposite.

Now that the travellers have been successfully moved on by the bailiffs Tuesday 22nd April 2014 as they did not move on voluntarily, we have been left with a scene of devastation. There are several gas bottles left behind, mounds of rubbish including fly tipped building materials, human faeces, dog faeces etc. The travellers were there for 6 days with a total of 19 caravans. If this is the sort of behaviour I can expect from travellers then I am seriously concerned at the prospect of having to live near this site on a permanent basis. This illegal site was minute in terms of the site proposed and I dread to think of how quickly the living conditions will deteriorate, I will end up living surrounded by squalor.

The travellers were evicted on Tuesday 22nd April, apart from securing the gate with a bicycle lock (not very secure) there has been no attempt to collect the rubbish and start the clean-up operation. The site is situated close to a railway and the rubbish bags are already ripped with the contents strewn across the whole area (this was done prior to the eviction). This is a serious health hazard for local residents as before long we will have a rat infestation etc.

I would like to know why the council have not arranged for the clean-up to begin as a matter of urgency, and what the intentions are to stop an illegal camp visiting again.
Matters Arising Changes Representations

Newport City Council Local Development Plan

Filtered to show: (all of) Stage=Z
by: (No grouping)

Rep'n/Para/Policy Representor

Agent

Accession No Date Lodged Late? Source Type Mode Status Status Modified

3749.Z1//MAC 5.8 Branston, Dr J Robert 08/07/2014 E O M

Document:Schedule of MACs
Policy: MAC 5.8
Summary: Objection to gypsy and traveller accommodation at Former Ringland Allotments

Item Question Representation Text

1 1  MAC reference

2 2  Full representation

I object to the designation of the former Ringland allotment site as the location of a gypsy and traveller transit site. I believe an independent review would find the location wholly unsuitable for such a purpose, both relative to other possible sites in Newport and also in absolute terms. Therefore believe it therefore fails tests CE2, C1 and C2.

During the LDP inspection process the council have admitted that the proposed site will breach the appropriate sound level thresholds of TAN11, even with the provision of a reasonably sized noise abating fence (see document ED009.9). The site also falls well short of WHO limits on noise, making it an unsuitable site for such a development from a noise perspective. Given the other negative aspects of this site (e.g. high voltage power lines overhead; topography; negative impact on the planned Llanwern housing development; and proximity to a busy main road with fast moving cars with its inherent air pollution and dangers to children and animals) it can’t be regarded as a suitable site for any form of residential development. Indeed, this was presumably part of the reason why the planned Llanwern housing development did not include development of this particular area of land, even though it is planned to pass into the ownership of the developers as part of that scheme. Moreover, the council seem to have rejected alternative locations for gypsy and traveller sites on the basis that development of these sites would be outside TAN11 and similar rules/guidelines, and yet the council seem intent on ignoring such guidelines and rules for the Ringland allotment site without a logical or consistent basis for doing so. As such I believe this proposal therefore fails tests CE2, C1 and C2.

Furthermore, the fact that the issue of noise pollution was only definitively explored by the council at the time of the inspection plan, means the entire process of identifying Gypsy and Traveller sites cannot be regarded as sound. For instance, document ED009.8 clearly identifies the fact that Hepworth Acoustics Ltd were only commissioned to consider the noise at the three sites identified by Newport City Council in the deposit LDP. This means that the issue of sound was not fully considered when these sites were initially chosen from the list of possible sites, giving the impression that the council seem intent on selecting sites as they wish and then justifying them after the fact. This is not a sound basis for policy. A robust and credible policy as required by test CE2 would have required all possible sites to be fully investigated with all aspects reasonably covered. This would include equal considerations of issues such as noise, flood risk, impact on the wider community, and economic cost of development the sites in question to the appropriate standard. At the very least the short-list of sites considered by scrutiny committee should have had such investigations and comparisons conducted. The council considered the installation of the noise abating fence to address noise concerns at the Ringland allotment site (although superficially it would seem) but did not seem to consider such remedies for all of the identified issues with other sites. With all criteria adequately investigated, only then could a meaningful comparison be made as to which site can be economically developed to provide the best site taking all factors, guidelines, recommendations, rules and the cost of development into consideration. Newport City Council did not select sites in this manner and therefore the decision to adjust the LDP to make the Ringland allotment the designated Gypsy and Traveller transit site therefore fails test CE2.

The late full consideration of the noise pollution at the former Ringland allotment site also means that the council will not have been able to conduct a full wider investigation of the possible impacts of this site to make sure it is a realistic option for development. This therefore means it again fails test CE2. For instance, the erection of a second noise abating fence on the opposite side of the SDR to the existing Ringland fence would have a negative impact on the perceptions of the city and hence its economic prospects given its prominent location. There are also issues of community relations if two disadvantages communities, namely Ringland and the gypsy travellers, are placed in close proximity. These again do not seem to have been taken into consideration in the decision-making process and hence the decision again fails test CE2.

In light of the above issues, I believe that the issue of Gypsy and Traveller sites, or at the very least, the transit site, should be removed from the LDP and revisited using an appropriate methodology which is fit for purpose.

3 3  Speaking at hearing session  No

15/08/2014
3865.Z1//MAC 5.8
Linton, Cllr Malcolm

Summary: Objection to MAC 5.8 and in favour of regional gypsy and traveller accommodation approach

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I am aware that changes are proposed to the Local Development Plan as a result of the recent public examination hearing meetings, and I would request that you take into account my following comments on the changes relating to the Gypsy and Traveller transit site allocation.

Although only a small section of the LDP, you will be aware from the volume of previous correspondence that this is a very sensitive topic.

It is noted that MAC 5.8 seeks to delete the proposed Celtic Way Gypsy and Traveller transit site, meaning that the Former Ringland Allotments site becomes the allocated transit site rather than a contingency site.

Throughout the development of Newport’s LDP, the Council has received clear unequivocal advice from the Welsh Government that our Plan must meet our housing needs, including those of the Gypsy and Traveller community. It is therefore of considerable concern that other South East Wales Authorities have not been provided with the same advice. Cardiff City Council’s Deposit LDP does not allocate any pitches to meet its identified transit site need, and yet this has not received a strong objection from the Welsh Government regarding the soundness of their plan. Instead it is noted that this matter could be addressed at a regional level in a future Strategic Development Plan. A very similar response has been provided to the Vale of Glamorgan Council in relation to its plan.

As a Newport City Councillor, I fully support the regional approach to transit site provision now advocated by the Welsh Government, and would request that the same approach is taken for Newport.

Planning for a transit site at a regional level is a far more appropriate response to this regional-scale topic, and would also result in a more efficient use of scarce public funding to deliver the sites to meet the South East Wales region’s needs. It would also mean that Newport City Council is not treated unfairly in comparison to neighbouring Authorities.

I would therefore request that the LDP be amended to delete the Gypsy and Traveller transit site allocation at the Former Ringland Allotments and instead a monitoring target introduced to allow for transit sites to meet the regional need to be planned and delivered on a regional basis as advocated by the Welsh Government and emerging Planning Bill.
### Robert Hitchins Limited

**Document:** Schedule of MACs  
**Policy:** MAC 5.8  
**Summary:** Supports deletion of Celtic Way as gypsy and traveller accommodation

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<td>1</td>
<td>MAC reference</td>
<td>5.8 and 15.11</td>
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<td>Full representation</td>
<td>Robert Hitchins Limited supports the proposed deletion of land at Celtic Way from Policy H15 (together with the proposed changes to the supporting text and Proposals Map), as a proposed site for gypsy and traveller transit for the reasons set out in our previous representations and in the Inspector's note 6th May 2014 in particular at paragraph 1.</td>
</tr>
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<td>3</td>
<td>Speaking at hearing session</td>
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We want to appeal against the Inspector’s decision regarding the withdrawal of the Celtic Way site as a transit site for the Gypsy and Travellers (G&T).

The officers of the Council have always informed us that the location of a G&T site does not have an affect on the surroundings area. The inspector in his note to the council is informing us that to put a G&T site on Celtic Way will stop businesses moving to the area and creating employment. So who is right?

The whole G&T Consultation which the present council has undertaken has been flawed since the start when some of the councillors who volunteered to be on the scrutiny panel had G&T sites in their wards from the previous administrations review. Surprisingly when the new listing was made these sites were missing.

The Chief Executive wrote to us when we suggested using the old speedway site for a residential G&T site and informed us that this could not happened as it would affect the Glan Llyn Development.

The Inspector has advised that he is unable to quantify what the affect of putting a G&T site at Ringland Allotments will have on the Gallagher development.

Again the council saying one thing and the Inspector contradicting.

We do not agree with the Inspector in this instance as we have a document which shows that residential property does not sell close to G&T sites. (See enclosed)

It seems from this that the residential ratepayers of Newport have no voice in the matter.

Since the sighting of the G&T has had the most responses from residents of Newport the priority should be to get it right.

We understand that G&T sites need need to be found but surely an independent review should be undertaken where all the prospective sites are re evaluated.

I need an explanation why the Inspector has not commented on the information given.
27/06/2014 M

Summary: Query regarding train stations in LDP.

Item Question  Representation Text

2 Full representation

Translated from Welsh

Thank you for your letter dated 20 June 2014, and I write to comment on one subject. In Chapter 7 – Transport, the Council state that they support plans for new stations in Llanwern, Coedkernyw, and Caerleon. However the locations are not shown of the proposals/ constraints map. What is the reason for this? Network Rail should ensure that the signage at the new station in Basaleg is bilingual. Basaleg should be translated as Maes Aleg and Pye Corner as Congl y Cornicyll. It’s important that the Welsh name for the station is shown (the old name for the station was Basaleg Junction).

Diolch yn fawr eich llythyr dyddiedig 20 Mehefin, parthed yr uchod. Gwelais y ddogfenni ar gael yn y Gorsaf Gwybodaeth heddiw a sgwennaf codi un pwnc. Yn Adran 7, Cludiant, nodaf mae'r Cyngor sy'n cefnogi cynlluniau am orsafoedd rheilffrydd newydd yn Llanwern, Coedcernyw a Caerllion. Ond dydy'r safleoedd cynllunwyd am orsafoedd hynny wedi'u ddangos ar y mapiau. Paham nid, sgwelsch?

Hwn sy'n ceisio hefyd am yr orsaf newydd. Maes Aleg - Congl y Cornicyll (Basaleg - Pye Corner) yn nisgwyl cael ei hagoriad oddeutu mis Rhagfyr eleni. Hefyd, a fyddwch yn wneud gair yn clust gan Network Rail I sicrhau mae'r byrddau enwau ar yr orsaf hwn newydd, yn cael yr enw yn ddwy iaith. Os gwelwch yr enw (Maes Aleg/ Basaleg yw'r plwyf; mae 'Pye Corner' yn enw o stryd lleol yn unig ar y map lleol). Pye yw hen aeri Saesneg am 'peewit', felly cyfieithiad Cymraeg naturiol yw Congl y Cornicyll. Mae'n bwysig i weld yr enw Cymraeg ar yr orsaf newydd - o flaen mae Network Rail sy'n wneud yr arwyddion (enh't hen orsaf ar y safle yna, o flean 1962, oedd Basaleg Junction). Gobeithiaf clywed oddi wrth chi ar y mater hwn, yn fuan.
Document: Schedule of MACs

Policy: MAC 5.8

Summary: Objection to MAC 5.8 and in favour of regional gypsy and traveller transit accommodation approach

---

2 Full representation

MAC 5.8 - Policy H15
MAC 12.1 - Monitoring Targets

I am aware that changes are proposed to the Local Development Plan as a result of the recent public examination hearing meetings, and I would request that you take into account my following comments on the changes relating to the Gypsy and Traveller transit site allocation.

Although only a small section of the LDP, you will be aware from the volume of previous correspondence that this is a very sensitive topic.

It is noted that MAC 5.8 seeks to delete the proposed Celtic Way Gypsy and Traveller transit site, meaning that the Former Ringland Allotments site becomes the allocated transit site rather than a contingency site.

Throughout the development of Newport's LDP, the Council has received clear unequivocal advice from the Welsh Government that our Plan must meet our housing needs, including those of the Gypsy and Traveller community. It is therefore of considerable concern that other South East Wales Authorities have not been provided with the same advice. Cardiff City Council's Deposit LDP does not allocate any pitches to meet its identified transit site need, and yet this has not received a strong objection from the Welsh Government regarding the soundness of their plan. Instead it is noted that this matter could be addressed at a regional level in a future Strategic Development Plan. A very similar response has been provided to the Vale of Glamorgan Council in relation to its plan.

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I would therefore request that the LDP be amended to delete the Gypsy and Traveller transit site allocation at the Former Ringland Allotments and instead a monitoring target introduced to allow for transit sites to meet the regional need to be planned and delivered on a regional basis as advocated by the Welsh Government and emerging Planning Bill.
The Ringland Matters Group would respond to the proposal to allocate the Ringland Allotments as a Transit Site as follows:

1. The Ringland Allotments Site was originally designated as a contingency site for transit or residential accommodation in the event that 'all identified families in social accommodation need or in need of transit accommodation provision cannot be accommodated in their entirety on the preferred transit and residential sites'. Thus the site was not initially selected as a contingency for a sole transit site but as a 'support site'.

The selected transit and residential sites (although remain the subject of detailed serious concerns and objections!) were ‘selected’, according to the Council, for their ‘appropriateness according to the information of the available reports to meet the need(?)’. It is, therefore, not clear (again!) why such a contingency site was required in the revised LDP when the selected ‘appropriate’ sites fully accommodated the identified need.

Further more, the criteria and parameters of transit and residential sites differ drastically thus whilst making it possible for a residential site to be a transit site it is unlikely for a transit site to be a suitable residential site. This is confirmed, amongst other sources, by Newport City Council themselves in past correspondence. Therefore, to designate a site suitable for both uses the site must suit the much higher requirements of the residential site thus, consequentially, automatically excluding other potential, more appropriate, transit sites.

It is, therefore, inappropriate to amend the LDP by selecting the ‘contingency site’ and the process of selecting a further transit site must be redone applying the transit site criterion accordingly to the full range of possible sites.

2. Gallagher Estates has commissioned their own noise survey that seriously refuted the findings of the Council’s survey. It is appreciated that this consultation is for the Ringland Allotments but, nevertheless, this must also bring into question the noise survey that was carried out for Hartridge Farm Road Site.

3. As the Welsh Government is urging that more allotment sites be developed, and as there is a waiting list in Newport because the Chepstow Road site is full, it would make sense to re-open the Ringland Allotment site for its original use.

4. In his notes to the Council the Inspector has expressed concern as to the negative affect a transit site would have on the ‘prestigious’ industrial area at Celtic Way, yet no consideration has given to the negative affect that traveller sites will have on the ‘prestigious’ lives of those who live near the proposed sites, other than, of course, the Glan Lyn development which has been rejected for that sole reason. This is seen as seriously prejudicial by many and supports further the claim of manipulation of the procedure of site selection.

5. It is strongly felt (and evidenced) by the Group and many residents that the whole procedure is flawed and appears that only ‘lip service’ is being paid to guidelines and recommendations from both the Welsh Government and Newport Council and that whilst many are aware of this and have even admitted it in private it is allowed to continue unheeded. (It should be noted that the national media indicates that this is a national problem and not restricted to Newport). However, no one is listening!!

6. We fully support the Council’s suggestion that the issue of the Gypsy and Travellers Sites should become a Regional issue, as suggested by the Welsh Government itself, and so be deferred until the Welsh Government finalises its intention. Not to do so is likely to result in inappropriate site selections and waste of available finances on an already constrained budget.
As the Group represents those people (in excess of 5500 in No) that signed the petition there are serious concerns amongst those people and the Group that the Ringland Ward is being unfairly and prejudicially targeted by the Council in their solution of not just the transit site but also the large scale residential site.

The Queens Hill site has been traditionally used for educational purposes for the last 100 years. There is a Roman Catholic Primary School still using parts of the site to deliver the curriculum which includes the foundation stage a key Welsh Gov policy.

The Council have decided to allocate the land at Queens Hill for residential development and have therefore submitted the site to the LDP.

There are a number of concerns with this site; the traffic infrastructure is not suitable to cope with additional traffic. Queens Hill, Queens Hill Crescent and Fields Road are already suffering from increased traffic movement and vehicle speed. This coupled with an extra 800 traffic movements from the proposed housing development will make the area an unpleasant and possibly dangerous area to live. Residents are very unhappy and a number of public meetings have already taken place. However, residents fear that their opinions and views are not being listened to and that the council will develop this site at any cost.

There is only one access to the site and therefore all traffic including parents dropping off children to the school will use this one entrance/exit.

At present the agent for the developer has carried out traffic analysis. However the first one was carried out when the school was on an inset day and another had to be carried out. The survey needs to be done over a seven day period to truly reflect the enormity of the traffic problem. This coupled with the Mill street site for 80 flats which the council has placed in the LDP and which they refuse to take account of any traffic issues at this time as an application has not been formally submitted will only lead to more traffic problems.

I therefore believe that the inclusion of the Queens Hill site is not acceptable and should be removed.

I do not wish to speak at a public hearing but would be happy for the Inspector to meet me on site so that I can properly demonstrate residents concerns.
Matters Arising Changes Representations

by: (No grouping)

Filtered to show: (all of) Stage=Z

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<tr>
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<th>Representer</th>
<th>Agent</th>
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<td></td>
<td>02/07/2014</td>
<td>P O M</td>
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Document: Schedule of MACs
Policy: MAC 5.8
Summary: Objection against Hartridge Farm Road gypsy and traveller accommodation

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<td>2</td>
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<td>In view of recent events (the travellers setting up camp illegally on the nearby car park) and with the close proximatey of two schools as well as local businesses, I find this site to be wholly unacceptable.</td>
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</table>

| 3    | Speaking at hearing session | No |

4037.Z1//MAC 15. | Bond, Cllr Tom | 29/07/2014 | E O M |  |

Document: Schedule of MACs
Policy: MAC 15.5
Summary: Objection to partial deletion of Rogerstone / Risca green wedge MAC 15.5

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| 2    | Full representation | I would like to make a representation to the MAC 15.5 / SP7 Green Wedge. Specifically relating to:  
The Rogerstone and Risca green wedge is to better reflect the corresponding allocation in the Caerphilly authority area. Pontymason Lane should form the eastern boundary of the green wedge.  
I believe that the green wedge should be retained in its original shape as per the Deposit LDP. I believe that there is a significant value in retaining this area of green wedge.  
Rogerstone has had very significant development in previous years, and having a further c. 1000 houses on the former Alcan site. This is supplanted by significant interest and applications for development within the ward and in surrounding areas.  
The inclusion of wedge areas is important to retain the features and character of the area as a space of openness. I understand that the wedge adjoins an area in Caerphilly’s plan that is identified as a leisure area. This underscores the importance of its allocation on the Newport side of the boundary to preserve the area’s character.  
In addition, whilst there is not currently developer interest in the area, its deletion as an area of green space would undermine its status as such. I contend that its existing allocation as a green wedge is part of the reason why there is no developer interest. Maintaining it harms no-one, and preserves its status. Deleting it only raises questions as to its future. |
Matters Arising Changes Representations

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<td>My reasons for apposing the gypsy / traveller site for Llanwern village were stated in my previous letter and remain the same.</td>
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<td>3</td>
<td>Speaking at hearing session</td>
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4239.Z1/MAC 5.8 Davies, A D

Document: Schedule of MACs
Policy: MAC 5.8
Summary: Objection to Former Ringland Allotments gypsy and traveller transit accommodation

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4241.Z1/MAC 5.8 Thomas, W J

Document: Schedule of MACs
Policy: MAC 5.8
Summary: Objection regarding gypsy and traveller accommodation

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<td>2</td>
<td>Full representation</td>
<td>We don't consider this area to be a suitable site for gypsy / traveller sites because the Assembly planning ruling states that no single storey dwelling shall be built in a flood risk area. Also Newport planning allow more and more houses to be built when the school are already full and stopping local children from attending.</td>
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<td>Speaking at hearing session</td>
<td>No</td>
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### Matters Arising Changes Representations

**Document:** Schedule of MACs  
**Policy:** MAC 5.8  
**Summary:** Objection to gypsy and traveller accommodation

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<td>I don't consider this area suitable for Gypsy/Traveller sites, as there are no amenities, the schools are already overcrowded and not even room for local children, which is very worrying. Newport Planning allow all these houses to be built, when there is not enough places for children that have been born here.</td>
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Matters Arising Changes Representations

by: (No grouping)
Filtered to show: (all of) Stage=Z

Rep'n/Para/Policy Representor

Accession No Date Lodged Late? Source Type Mode Status Status Modified

4243.Z1//MAC 5.8 Davies, Cllr Deborah

Document: Schedule of MACs
Policy: MAC 5.8

Summary: Objection to MAC 5.8 and in favour of regional gypsy and traveller transit accommodation approach

Item Question Representation Text

2 2 Full representation

MAC 5.8 - Policy H15
MAC 12.1 - Monitoring Targets

I am aware that changes are proposed to the Local Development Plan as a result of the recent public examination hearing meetings, and I would request that you take into account my following comments on the changes relating to the Gypsy and Traveller transit site allocation.

Although only a small section of the LDP, you will be aware from the volume of previous correspondence that this is a very sensitive topic.

It is noted that MAC 5.8 seeks to delete the proposed Celtic Way Gypsy and Traveller transit site, meaning that the Former Ringland Allotments site becomes the allocated transit site rather than a contingency site.

Throughout the development of Newport's LDP, the Council has received clear unequivocal advice from the Welsh Government that our Plan must meet our housing needs, including those of the Gypsy and Traveller community. It is therefore of considerable concern that other South East Wales Authorities have not been provided with the same advice. Cardiff City Council's Deposit LDP does not allocate any pitches to meet its identified transit site need, and yet this has not received a strong objection from the Welsh Government regarding the soundness of their plan. Instead it is noted that this matter could be addressed at a regional level in a future Strategic Development Plan. A very similar response has been provided to the Vale of Glamorgan Council in relation to its plan.

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Planning for a transit site at a regional level is a far more appropriate response to this regional-scale topic, and would also result in a more efficient use of scarce public funding to deliver the sites to meet the South East Wales region's needs. It would also mean that Newport City Council is not treated unfairly in comparison to neighbouring Authorities.

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by: (No grouping)
Filtered to show: (all of) Stage=Z
Rep'n/Para/Policy  Agent  Accession No  Date Lodged  Late?  Source  Type  Mode  Status  Status Modified

4246.Z1//MAC 5.8  Hannon, Cllr Paul  29/07/2014  O  M

Document: Schedule of MACs
Policy: MAC 5.8
Summary: Objection to MAC 5.8 and in favour of regional gypsy and traveller transit accommodation approach

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Matters Arising Changes Representations

by: (No grouping)
Filtered to show: (all of) Stage=Z

Rep'n/Para/Policy Represenator Agent Accession No Date Lodged Late? Source Type Mode Status Status Modified

4247.Z1//MAC 5.8  Mudd, Cllr Jane

Document:Schedule of MACs
Policy: MAC 5.8
Summary: Objection to MAC 5.8 and in favour of regional gypsy and traveller accommodation approach

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<td>2 2</td>
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<td>MAC 5.8 - Policy H15</td>
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Throughout the development of Newport's LDP, the Council has received clear unequivocal advice from the Welsh Government that our Plan must meet our housing needs, including those of the Gypsy and Traveller community. It is therefore of considerable concern that other South East Wales Authorities have not been provided with the same advice. Cardiff City Council's Deposit LDP does not allocate any pitches to meet its identified transit site need, and yet this has not received a strong objection from the Welsh Government regarding the soundness of their plan. Instead it is noted that this matter could be addressed at a regional level in a future Strategic Development Plan. A very similar response has been provided to the Vale of Glamorgan Council in relation to its plan.

As a Newport City Councillor, I fully support the regional approach to transit site provision now advocated by the Welsh Government, and would request that the same approach is taken for Newport.

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Critchley, Cllr Ken

Item Question Representation Text

Full representation

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<td>Full representation</td>
<td>Newport East is not a suitable area for Gypsy / Traveller Sites for many reasons:</td>
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<td>1. The M4 Corridor around Newport is urgently required. This will be disturbance though for our wild life habitats.</td>
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<td>2. Looking after our wild life is very important and we have a lot in Newport East due to the fact of having only large trees along the Ringland.</td>
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<td>3. There will be a lot if unrest amongst the community should Gypsy / Travellers be allowed to live here because there are many schools in the area.</td>
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<td>3</td>
<td>Speaking at hearing session</td>
<td>No</td>
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