

KEY
Stage: C = Consultation; D = Deposit; P = 1st Proposed Changes; R = Growth Strategy Options; S = 2nd Proposed Changes; T = 3rd Proposed Changes; M = Post-Inquiry Modifications; E = East Newport SPG
Type: O = Objection; S = Support; C = Comment; N = Not duly made
Mode: W = Written; I = Inquiry (Oral)
Status: M = Maintained; C = Conditionally withdrawn; W = Withdrawn
S-Policy and S-Page denote the equivalent references in the 2nd Proposed Changes draft

Newport Unitary Development Plan

REPRESENTATIONS BY REPRESENTOR

FILTERED TO LIST: (all of) Stage=E

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45 Llanwern Community Council:

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Issue: Eastern Expansion Area

Summary: Objects to greenfield development, which should be reduced in size.

RepresentationText: Introduction

Since 1997-1998, Llanwern Community Council has submitted some six detailed responses to the Unitary Development Plan or the subsequent bi-products of that plan, throughout that period the Community Council have consistently supported the concept of developing brownfield sites, challenged the merits of greenfield development particularly in known flood areas, the weakness of large density development and supported the development of the City Centre.

Therefore to respond to this latest document, will of necessity require a restatement of the observations already made by Llanwern Community Council and others, but nevertheless remain valid and should not, and cannot be dismissed.

General

This document prepared by Llanwern Community Council, provides the background of this proposal by Newport City Council; the past objections by Llanwern Community Council and our Current views.

Special Planning Guidance on the Eastern Expansion area is now subject to consultation with a deadline of the 23rd April 2007. This has provided a good focus for us to re-marshal our arguments and establish our position and possible way forward.

The development proposal represents a plan imperfectly conceived based on a false economic model and with its consequent social and environmental impact only partially understood.

Planning Background

With the announcement of the closure of the part of Llanwern Steelworks, which coincided (approximately) with the loss of the LG project, Newport City Council decided to change the direction of its planning policy. The Council engaged consultants who considered that, within the current plan period; Newport could have a net gain of 15,600 jobs. Furthermore the consultants estimated that to accommodate the additional employees, there was a requirement for 7200 new houses. This was 1700 high than the 5500 new homes detailed in the second revision of the UDP, and re-introduced the figure contained in the original UDP which pre-dated the known closures of Llanwern steelworks and the loss of LG.

To manage the plan a company was formed, 'Newport Unlimited', the purpose of this organisation was to implement the new plan in conjunction with Newport City Planners.

In September 2002 Newport City Council published a document for consultation, 'Newport City Growth Strategy Options'. This document detailed the various options of where the additional houses could be accommodated. It recommended that a Newport 'Eastern Expansion Area' be designated for the housing with 600 houses being built in the plan period on the former steelworks site and 1100 houses on Greenfield sites between the M4 motorway in the North and Llanwern village in the south. After a period of public consultation the recommendation led to an amendment to the UDP. At the public enquiry, the Inspector, with a few minor changes, broadly endorsed the amended UDP in August 2005.

There was no public consultation on the 'growth' assumptions on which the amendments were based,

Following the production of the adopted UDP, a consultation document has been produced, entitled 'Special Planning Guidance Newport Eastern Expansion Area'.

Objections previously raised by Llanwern Community Council

These are well documented and already in the public domain, but at the public enquiry we objected to the development of a greenfield site at Llanwern on the basis that it would not be sustainable and the history of flooding

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through the centre of the proposed development area, a situation that would be worsened by the loss of land permeability on the surrounding hills. Such a development as proposed would in the opinion of Llanwern Community Council, be a dormitory for people working along the length of the M4 and would not be utilised by incoming people choosing to work in Newport.

Llanwern Community Council's objections to the proposal

Many of these have been made before. However, they are still relevant in the summary of our current position. Some aspects will be relevant to our response to the Special Planning Guidance currently out for consultation.

We have no objection to brownfield site development on the former steel works. We have objected to plan development on the Greenfield sites in the village of Llanwern.

1. This is a very attractive area of countryside. It consists of undulating pastureland, partially wooded. There are two medieval churches, a grade listed garden and several listed buildings. The building of 1100 houses will destroy the aspect of this attractive rural environment. No major development should take place unless there are clear and stated overriding economic or social requirements for such a development.

2. The Newport City Growth Strategy Option report 2002 (which laid out the Eastern Expansion Area for possible development and provided the basis for the amendment to the UDP) stated that it was important to support the development of the city centre.

Under 'Strengthening the catchment area of the city centre', paragraph 3.6 of that report which was issued to the general public for consultation, states:

'Any proposed expansion must relate to the city centre and not encourage further leakage of expenditure to Cardiff'.

However, the Special Planning Guidance refers to the development of the current Newport Retail Park (currently an out of town development) as a District Centre for the new houses. The Special Planning Guidance states in paragraph 4.31:

'The UDP now identifies Newport Retail Park as a district centre, reflecting the additional function it will have as a local shopping centre for the Eastern Expansion Area. The district centre status is intended to provide for the future retail, leisure, community and other needs of this part of Newport in an attractive way'.

Thus one of the main objections of the 'growth' strategy to underwrite the retail outlet in the city centre redevelopment has been undermined.

3. The Designation report (issued in October 2002, after the growth strategy options report was published) gave the terms of reference for the urban regeneration company and gave a view of Newport's future under the 'growth' strategy.

It detailed in paragraph 2.2 Vision for Newport, the following statement:

The land values created by the eastern expansion contributed to the regeneration of the City Centre.

The generation of funds for the development of Newport City Centre has not been deemed a pre-requisite for the site developers. The only planning gain from the proposed development related to s106 requirements in respect of local services and transport links specific to the site.

One of the key purposes of the development of the Greenfield sites to fund regeneration has not been implemented. This was one of the key economic factors behind the amendment to the UDP,

4. There is a presumption that greenfield site development will not take precedence over brownfield site development. However, this will be difficult to control and may compromise the marketability of houses to be sold on the former steelworks.

5. Many of the existing houses in the village of Llanwern are near sea level and prone to flooding. Increased run-off from new development will worsen the situation.

6. This development, together with future plans to extend Newport's urban boundary eastwards and together with greenfield development now proposed in Monmouthshire County Council's UDP is leading to general urban sprawl between Newport and the Severn Tunnel.

7. The development is planned to be built at too fast a rate. 1100 houses in three years (plus more to come) will not lead to any form of social cohesion. This problem will not be resolved simply by building public buildings at 'village centres' - there is already evidence within Newport City Council boundaries, that this approach, is financially unsustainable and failing in its objectives.

8. The development will further reduce accessibility to the countryside by existing Newport residents.

Llanwern Community Council Objectives

Reversing planning decisions at this stage in respect of the current UDP are probably fairly rare. However, this should

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not stop us from trying to attempt to reduce the level of new development so that it moderately expands the existing village rather than totally swamps it.

Newport City Council may well have considerable problems in developing such a large site. Furthermore, it may well be that the developer of the steelworks site may feel that the greenfield development may compromise the marketability of their development.

It has been stated that further development on greenfield sites south of the M4 motorway will be included in future plans after 2011. By attacking the current plan we are also rehearsing our position for the next plan.

There is a danger if the council fails to achieve its housing numbers in the plan that further parts of the Newport countryside may come under development pressure in areas not designated for development. Developers seem to have strong arguments for such development in these circumstances. If democracy is not dead, local people need to be ready to counter such arguments.

Conclusions

Llanwern Community Council has no objection to the development of that part of the eastern expansion area, which are brownfield sites on the former steelworks.

We continue to raise objections to the proposed large development on greenfield land between the former steelworks site and the M4 motorway. This is an area of attractive open countryside, which partly serves as recreation area for walkers and riders from the nearby urban areas. Furthermore, it is a difficult area on which to build due to its geography and contour aspects.

The social and economic assumptions developed by consultants working for Newport City Council, for the 'growth' strategy have not been borne out in practice. These assumptions were used to make late amendments to UDP 2006-2011 plan period. The justification for the development was to provide homes for new workers attracted to new employment within Newport; to increase the catchment area of shoppers for the revitalised city centre and also to provide funding for the redevelopment of the city centre. The level of new vacancies has not risen, the inclusion of the Llanwern greenfield sites as a city centre shopping catchment area has been compromised by the proposed development of Newport Retail Park and no development gain has been achieved to contribute towards the cost of the city centre redevelopment.

The development in its present proposed format would be a large dormitory estate, similar to recent new Langstone housing, where house owners use the M4 as a conduit for work and leisure. This is totally contrary to the 'vision' of the future Newport the City Council and its advisors describe in the various planning documents supplied for public consumption.

We will continue to fight the scheme by being responsive to the current consultation document, but thereafter by linking with local groups and other environmental organisations.

Desired Change:**Recommendation:**

The consistent responses from the community council are welcomed.

With regard to the growth assumptions, these were included within the Growth Strategy Options consultation in October 2002.

The current flooding issues in Llanwern are understood, and the Environment Agency has been consulted, and have set out the conditions which new development will need to meet.

With regard to where potential residents may come from, as with existing residents, the Council has no control over their origin nor where they may work either currently or in the future.

The principle of development in the Eastern Expansion Area, north and south of the railway was debated in the Unitary Development Plan inquiry, and was agreed by the Inspector. The SPG seeks to guide development so as to fit within the landscape.

The location of the major expansion to the east of the city is seen as an important factor in reducing any potential leakage of consumer expenditure to Cardiff. Development to the west of the city would clearly have had much greater potential to leak to the capital. The retail park has a different function to the city centre, and even as now designated as a District Centre has a different role to the city centre.

The proposed development will be a major expansion for the city and there will be wider benefits for the city, including in transport terms, including improved public transport and an alternative access to the motorway without using the Coldra junction.

The Eastern Expansion Area is seen as a whole, and the greenfield and brownfield parts are not seen as mutually exclusive, and prospective developers are comfortable with this.

For such a major development, the intrusion into the countryside is limited, with most of the development on the brownfield site.

The provision of community facilities is included within the SPG, including primary school provision. The developers will also have an interest in community development because of the phased nature of developments of this size.

The proposed development should see more areas made available as public open space, providing more opportunities for access.

There is no commitment to further development on the greenfield land beyond the UDP allocation. The Inspector made clear in his report on the UDP that further development there would be subject to the next plan, which will be a Local Development Plan.

Newport now has a good land supply position and this should help to reduce pressure for other greenfield development.

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The Newport economy is performing well, and redevelopment of the city centre is proceeding, reflecting a good level of developer confidence in the Newport economy.

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Issue: Eastern Expansion Area

Summary: Welcomes SPG but considers Strategic Environmental Assessment to be required.

RepresentationText: We warmly welcome the production of this guidance, and also the delay in determining the planning applications already submitted for the area until this guidance is agreed. Our general comments are made below, and detailed comments are given in annex 1.

We believe that the SPG proposes a good framework and vision for the EEA. We welcome the approach set out in the document and the aim of setting new standards for sustainable development in Wales. Where new communities are to be created we strongly support the aim that they will be served by a full range of local facilities, including a variety of transport modes, to ensure that they become sustainable settlements, and also carbon neutral. We are also pleased to note that consideration has been given to the mechanisms that will be sought and used to secure the aims and objectives for delivering the Eastern Expansion Area. There are many detailed points that we welcome in the document and these are highlighted in the attached comments.

Our main concern is that a Strategic Environmental Assessment (SEA) of the SPG has not been undertaken. One of the main aims of an SEA is to ensure the integration of environmental considerations into the preparation and adoption of plans and programmes in order to promote sustainable development. Given the size of the EEA, the fact that the SPG is setting a framework for future development, and the likelihood that the EEA will have significant effects on the environment we therefore advise that your authority undertakes an SEA of the SPG.

We would appreciate it if you could keep us informed of any decisions taken concerning an SEA of the SPG, and of any legal opinion that you seek on the subject. Should you decide not to undertake an SEA, we seek clarification on how Newport will address the combination of impacts of the various master plans and developments.

We look forward to working with Newport to progress the EEA in a sustainable way.

Annex 1

THE COUNTRYSIDE COUNCIL FOR WALES (CCW) DETAILED COMMENTS ON THE EAST NEWPORT DEVELOPMENT FRAMEWORK PLAN: GOING FOR GROWTH. REVISED DRAFT SUPPLEMENTARY PLANNING GUIDANCE MARCH 2007

Our comments are made below, following the numbering and titles of the document.

2 Procedures and context

We welcome the chapter setting out the procedures and context. We support the role of the SPG as set out in section 2.11. We also generally agree and support the vision for the EEA development set out in 2.6.

However, we are concerned that a Strategic Environmental Assessment (SEA) of the SPG has not been undertaken, as required by the EU Directive (2001/42) on the assessment of the effects of certain plans and programmes on the environment (the SEA Directive). (This is translated into Welsh legislation by the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 and came into effect on 12 July 2004). The measures in this Directive provide a high level of protection of the environment and contribute towards the integration of environmental considerations into the preparation and adoption of plans and programmes in order to promote sustainable development. An assessment to consider the effects of the SPG on environmental objectives should therefore be undertaken.

As your authority will be aware, plans and programmes that were begun after 21 July 2004 but not adopted by 21 July 2006, require formal consideration in terms of the SEA Directive. As the Unitary Development Plan (UDP) was adopted before the July 2006 deadline it was not subject to an SEA. There has therefore been no SEA of the policy framework for the EEA. Given the size of the EEA, that the SPG sets a framework for future development, and the likelihood that the EEA will have significant effects on the environment we therefore advise that your authority undertakes an SEA of the SPG.

Although individual Environmental Impact Assessments (EIA) may be required for many of the projects that come forward in the EEA, EIA and SEA are not mutually exclusive. We are concerned that relying solely on EIA will not be sufficient to provide the high level of protection for the environment that the SEA Directive now requires of land-use plans, to consider the cumulative effects of other strategic actions, activity or projects with those proposed for the EEA, or to meet your responsibilities under the terms of the Directive. We therefore reiterate our advice set out in the preceding paragraph and advise your authority to undertake an SEA of the SPG, and if necessary seek legal opinion as to any justification you might have for not undertaking an SEA.

We would appreciate it if you could keep us informed of any decisions taken concerning an SEA of the SPG, and of any legal opinion that you seek on the subject.

Should you undertake an SEA, the requirements of the Regulations are likely to apply retrospectively to some of the strategic work for the SPG, particularly until 2011, as some of the SEA processes will already have been undertaken as part of the UDP process. Full compliance with the intentions of the Regulations will therefore not be easy as they require the SEA to begin as early as possible in the plan making process, to allow for the full consideration of the

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environment in the plan from the outset. For example, by considering alternatives at an early stage the likely environmental effects of each option can be investigated and detailed as part of the process, and used to inform the decision on the choice of the preferred alternative. Although the strategic options have in effect been set by the UDP in this case, many of the options within the EEA (such as locations of development/roads and delivery, timing and phasing of development) still remain to be considered. Although the SPG proposes a good framework for the EEA, the undertaking of an SEA is likely to result in a sharper framework for the sustainable development of the area.

We therefore advise you to consider how an SEA can be incorporated into the SPG process, by reviewing the work carried out so far (including that undertaken for the UDP) to ascertain how it can best be used in meeting the requirements of the SEA Directive.

Should no SEA be undertaken, we seek clarification on how Newport will address the combination of impacts of the various master plans and developments.

2.12. We agree in general with the status of the guidance set out in 2.12 but recommend reference is made to the appendix where the policy context is set out.

3 The Eastern Expansion Area

3.8. Despite the reference in 4.30, we recommend that to avoid misunderstanding the relevant part of policy ED1 is quoted here to clarify that development will only be permitted in this part of the EEA provided that the national economic benefits of the proposal clearly outweigh the environmental impacts including visual intrusion and loss and damage to habitats and/or species. Reference should also be made to Gwent Levels SSSIs in the text, especially the Gwent Levels: Nash and Goldcliff SSSI.

3.12. The Gwent Levels are recorded in Volume 1 of the Landscapes of Historic Interest in Wales, Landscapes of Outstanding Special Interest in Wales. This reference to Historic Landscape should be included in the section on 'Landscape, Topography and Views' and in figure 5.

3.14. We welcome and support the acknowledgement that woodlands are an important part of the landscape setting of the area, and that they can also provide habitat for protected species. Areas of ancient or semi- ancient woodland should be identified on figure 4.

3.20. Whilst welcoming the reference to the presence of protected species in the northern EEA, CCW consider that this paragraph should be strengthened to reflect the legislation covering protected species, as set out in Annex 2. It is important that prospective developers are aware of all the issues they might have to deal with and accommodate in development schemes at the outset.

If considered at the outset, in principle protected species, their habitats and foraging areas should not be a problem. Problems occur when schemes are designed with no consideration for species or their habitats, and then have to be redesigned or amended to secure the favourable conservation status of the species.

3.21. We welcome the reference to the Gwent Levels SSSIs, Severn Estuary SSSI, Ramsar site, SPA and pSAC. We have sought advice from the Welsh Assembly with respect whether the SPG constitutes a 'plan' under Article 6(3) of the Directive and the possible need for a Habitats Regulation Assessment (HRA) with respect to the Severn Estuary SPA, and pSAC. We have yet to have a response, but recommend that this issue is addressed in the SPG, if only in appendix 1 on policy matters.

Should it be established that there is no requirement to undertake a HRA of the SPG, given the proximity of the EEA to the Severn Estuary Ramsar Site, SPA and pSAC we would remind you of your duties under Regulation 48 of the Conservation (Natural Habitats, &c) Regulations 1994, and the requirement to carry out a test of significance on the individual applications that come forward within the EEA. Where a proposal is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) an appropriate assessment is required to be undertaken. Additionally, following recent European case law, where it cannot be demonstrated that the developments will not have a significant effect on the European site, an appropriate assessment should also be undertaken.

3.22. Whilst welcoming the protection that is proposed to be given to woodland and ridgelines through the SPG, we are concerned that there is no mention of such protection for the Gwent Levels Historic Landscape or Gwent Levels SSSIs. We would remind you of the duty placed on your authority by Section 28G of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) to further the conservation and enhancement of the features of SSSIs.

4 Land Use

We welcome the approach to create new communities served by a full range of local facilities, with village centres, affordable housing, varied residential densities, the opportunity for the dual use of facilities, open space provision in line with current policy, employment opportunities and the provision of mixed transport modes at the outset. Whilst it is important that all of these aspects of the development are delivered if the EEA is to be a sustainable form of development, good public transport will be particularly fundamental to the process if there is not to be a reliance on cars within the development, and the development is to minimise its carbon footprint.

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Table 1 and throughout text in section 4 – clarification is required on the meaning of ‘south’ eg does this mean the land to ‘south of cot hill’ (as referred to in 4.5), the land on the steelworks site, or the land in the EEA south of the steel works?

4.4. We support and welcome the development of the steelworks site in preference to the release of greenfield sites to the north.

4.11. We seek clarification on how ‘particularly high quality development’ is to be defined.

4.12 – 4.17. We welcome the intention to provide village centres within each part of the development. Where communities and villages that reduce the need to travel are to be created, consideration should also be given to encouraging the inclusion of a post office with banking facilities within them.

4.23. We welcome and support the provision of social and community facilities in parallel with the delivery of residential developments.

4.25 and 4.26. We welcome the requirement for open space to be well integrated with the surrounding countryside, and the requirement to demonstrate how such areas will be managed and maintained. Such spaces should also be easily accessible to people. We refer you to CCW’s greenspace toolkit that has been issued to all local authorities ‘Providing Accessible Natural Greenspace in Towns and Cities, A Practical Guide to Assessing the Resource and Implementing Local Standards for Provision in Wales’.

4.29 Although reference to UDP policy ED1(ii) is made in paragraph 4.30, we consider that the gist of paragraph 4.29 encourages large scale employment uses to the eastern edge of the steelworks and Tatton Farm.

As was debated at the UDP Inquiry, Tatton Farm lies within the Gwent Levels: Nash and Goldcliff SSSI, where there is a duty to further the conservation and enhancement of the SSSI features. The policy that was recommended by the Inquiry Inspector, and subsequently adopted by your authority, is only an allocation for large projects in the national interest that are sufficient to outweigh clearly the environmental impacts on the SSSI and are subject to a number of criteria, one of which is that there are no suitable alternative sites. ED1(ii) is not a general employment allocation, and as such should not be interpreted that way in the introduction to the section on large scale employment uses in the SPG.

4.31 – 4.33. we welcome and support the proposals for the development of the District Centre against a comprehensive master plan.

4.34. We welcome the requirements for arrangements to be made for residual land and the proposed use of legal agreements to ensure it is managed and maintained positively. We recommend it is clarified when legal agreements will be appropriate, and where they are not used what provisions will be made for maintenance and management.

5 Urban and landscape design

Design –we strongly support and welcome the design vision and urban design principles set out in this chapter of the SPG, and particularly the references to high standards of design in terms of the broader landscape, open space, and accessibility etc. We suggest that ‘environment’ is added to the 1st point in 5.1 to enable Biodiversity to be accommodated within the design concept. We recommend that there is also reference to the key role that access to open space and a pleasant environment plays in ensuring human health and well-being.

5.5. We welcome the intention that pedestrian routes will be based on desire lines rather than based on detours that put the car first.

5.6. We recommend there is reference to cyclists as well as pedestrians in this paragraph.

5.8. There is a need to ensure that open spaces are usable and accessible.

5.10 and 5.11. These comments also apply to 5.40, 5.41. In principle we support the concept of reflecting the pattern of the Gwent Levels into the development of the steelworks site and the vision set out in 5.11. However, we remind you of lessons from other new residential developments on the Levels (such as Celtic Horizon) and the Cardiff Bay residential developments where insects, especially midges, naturally found in such watery environments can be a major problem. It will be important to ensure the ongoing maintenance of berms, shallow water areas and other watery areas is agreed and secured as part of any development, as this will be critical to the future success of the area. The maintenance should include measures to ensure necessary ‘dredging’ of water bodies so they can perform their water storage and biodiversity functions (including disposal of dredged material), invasive/nuisance plant/animal control, water quality, pollution contingency measures. Securing maintenance for boardwalks and other environmental infrastructure will also be important. Such measures can have implications for design and costs of development and we therefore recommend that they are referred to in this SPG.

5.13. We strongly support the requirement to design to the features of the setting and site, and not use standard pattern book designs.

5.14 – 5.18. Master plans and design codes – we welcome and support this guidance. However we query what measures are being taken to ensure that the various master plans integrate with each other at their fringes, and do

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not become totally separate entities that are developed next to each other, bearing no relationship to each other. See also comments above on section 2 with respect to SEA and master plans.

5.19 – 5.21 We support the design concept for the built form, and the use of specific designs for the site rather than standard house types.

5.23. The District Centre Site Planning and Design Principles – we welcome and support these principles.

5.24. Public Realm strategy - Clarification is sought on whether the coordinated approach is meant to be within individual development areas or also coordinated between development areas.

Landscape and Ecological Framework

In general we welcome and support the aims set out in this section. However, to conserve and enhance the SSSI interests we recommend there are no discharges of surface water, especially from the Llanwern site, to the Gwent Levels SSSIs. This is a matter that can be addressed by individual applications but we recommend the overall principle is specifically stated in the SPG to reduce confusion.

5.30. As well as making reference to creating an attractive and sustainable place, there should also be a reference to accessible places and the health benefits they can provide.

5.32. We welcome and support the requirement for development to respect the landscape context and harmonise with the landscape setting.

5.35. We welcome the recognition of the importance of Monks Ditch. We recommend that there is reference to Sustainable Urban Drainage Systems (SUDS) as part of any integrated ecological system in both the north and south.

5.37. CCW support the principle of such uses, but query what mechanisms will be used to secure and manage them.

Figure 10. No legend is included or explanation of how the uses referred to in 5.37 could be developed.

5.39 and 5.40. We welcome and support the concept of responding to the wider landscape context and restoring features of the Levels landscape within the site. However as set out above we have some concerns over the management of water areas. (See comments above on 5.10 –5.11).

5.42-5.43. We welcome and support these sections.

5.46- 5.47. In principle we support the concept of boardwalks and decks, however we suggest consideration be given at this stage to how such areas will be managed and maintained in both the short and long term, and how you will seek to minimise vandalism and timbers being stolen and burnt.

5.50. We support the concept of open and landscaped corridors through the development.

5.51. We support the creation of greens for a variety of uses.

5.55. We support the introduction of planting along the corridors provided this complements and does not jeopardise the ecological interest of the water bodies. Considerable guidance is available on such matters from both the Environment Agency and CCW

5.56. While we support the general principle set out in this paragraph we remind you of the need to ensure the special interests of the SSSI to the south of Queensway are conserved and enhanced.

Pages 33-37. For the non-parkland planting areas, it is recommended that planting should be of a local provenance and suitable for the character of the area and the soil characteristics. If trees and shrubs are to be planted alongside a watercourse then one side should be kept clear in order for maintenance machinery to gain access.

Planting trees and shrubs along the banks of watercourses can result in the total shading and suppression of aquatic vegetation. Trees and shrubs should be planted to the northern side of a watercourse and a balance of open and shaded sections created. It is then possible to control the amount of shading to encourage a range of plant and animal communities. The regular maintenance of bankside vegetation alongside watercourses will be essential if the amenity and biodiversity value of such features is to be retained.

6 Transport and Access

We welcome and support the proposed improvements for public transport, and the improved provision for pedestrians and cyclists.

6.3. Positive initiatives for cyclists could include covered cycle storage facilities at shops, community facilities, employment uses, etc.; making sure house and flat designs have facilities for storing bikes that are easily accessible; changing/ showering facilities at work places.

6.9. Upgraded routes should not dominate or segregate residential and community areas.

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6.11. We welcome and support direct and convenient cycle and pedestrian routes.

7 Conserving Resources

We welcome and support the intentions of this section, and the measures set out in 7.3. We hope to see the vision turned into a high quality sustainable development when development commences.

7.7. We recommend that housing is designed to lifetime homes standards so that they can be easily adapted as people's circumstances change. We seek clarification on what is meant by low maintenance 'self generating' landscapes. Maintenance and management of such areas is likely to be required, and care should be taken to ensure that they do not become areas prone to flytipping, litter etc.

8 Utilities, drainage , flooding and site preparation

8.7. We support the integrated approach to the provision of utilities. Further provision of sewerage and surface water facilities in particular could have implication for the Gwent Levels SSSIs and require input from other organisations such as Welsh Water as well as the Environment Agency, the Caldicot and Wentlooge Levels Drainage Board and CCW.

8.9. We welcome the acknowledgement of the need to address the SSSI related drainage issues

9 Community Involvement

We support measures to include existing residents in the ongoing development of the area.

9.3 and 9.4 It is recommended that a system of monitoring of the management regimes is put in place, to ensure that they are working effectively and that any necessary changes can be made if required.

10 Implementation

10.4. Environmental Impact Assessments should include landscape assessments and species surveys. So that the correct species surveys are undertaken, it is recommended that CCW is consulted at the scoping stage of EIA.

10.7. Phasing of Development - we support the proposed phasing of development for the provision of the full range of community services and infrastructure.

10.8 Scope of Legal Agreements

Public Transport: As well as taxi and car parking, provision should also be made for secure cycle parking/storage.
Employment Provision: If there is no uptake of employment land in villages, what timescale will premises need to be retained as such, before consideration of changes to other uses such as a residential use is considered?
Structural Landscaping and Open Space: How are existing areas of biodiversity importance to be managed and maintained?

11 Summary checklist of requirements

11.1 Village centres should also provide post office and banking facilities.

Appendix 1 Policy context

The Wales Spatial Plan Interim Statements are now on the website: <http://www.wales.gov.uk/walespatialplan>.

Appendix 5 – Sustainable Design Measures

We welcome the inclusion of this appendix in the document, and hope that the measures outlined are secured for implementation through section 106 agreements etc, and not diluted or undermined as development commences.

Annex 2

PROTECTED SPECIES LEGISLATION AND POLICY

Planning Guidance

Planning Policy (Wales) (March 2002) [section 5.5.11] states that "the presence of a species protected under European or UK legislation is a material consideration when a local planning authority is considering a development proposal which, if carried out would be likely to result in disturbance or harm to the species or its habitat".

In addition the planning guidance states that [section 5.5.12] "To avoid developments with planning permission subsequently not being granted a derogation in relation to European protected species, planning authorities should take the three requirements for a derogation into account when considering development proposals where a European protected species is present". See below for the three requirements.

Statutory Instrument 2716: The Conservation (Natural Habitats, &c) Regulations 1994

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54 Countryside Council For Wales:

Where a European protected species, such as bats and otters, are present, a development may only proceed, under a licence issued by the Welsh Assembly Government (WAG) who are the appropriate authority responsible for issuing licences under Section 44 (1) (e) of the above Regulations. This licence can only be issued for the purposes of:

'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature, and beneficial consequences of primary importance for the environment.'

Furthermore, the licence can only be issued by WAG on condition that there is:

'no satisfactory alternative', and that

'the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.

Judicial review

The above guidance is enforced by a recent judicial review decision (R v Cornwall CC ex parte Hardy 2000) which confirmed that full environmental information must be submitted and considered as part of environmental impact assessment prior to permission being granted and by Regulation 3(4) of the Habitats Regulation. This requires all local planning authorities in exercise of their functions, to have regard to the provisions of the Habitats Directive in so far that they might be affected by those functions.

Desired Change:

Recommendation:

General support welcomed.

Strategic Environmental Assessment - The UDP was prepared with the environmental procedures appropriate at the time. Thus an Environmental Appraisal was carried out in 1998 on the Draft Plan which then informed the Deposit Plan, and a Sustainability Appraisal was carried out on the 2nd Proposed Changes Plan, with an update on the 3rd Proposed Changes, which constituted the UDP as examined in the Public Inquiry. Together, these two Appraisals were considered to constitute in effect a Strategic Environmental Assessment, although this was not required as the plan was adopted in May 2006, before the latest regulations came into effect. The original East Newport Development Framework Plan and related Draft Supplementary Planning Guidance were also published in July 2004, following extensive public involvement. The East Newport development proposals were also subject to a sustainability report which was a core document in the UDP inquiry (CD074): Sustainability at East Newport, produced by Faber Maunsell. Considerable work has therefore been undertaken with regard to the appraisal of this development proposal, but as the SPG is not required by legislative or regulatory provisions, formal SEA is not considered to be required.

The two applications currently before the Council are large ones, and therefore will in themselves involve consideration of effects over a wide area.

The feasibility of retrofitting an SEA now, with the inclusion of consideration of alternatives, is highly questionable. Indeed it might be seen as potentially undermining the UDP, which is the statutory development plan, with no prospect of amending it as UDPs are no longer the regulation style of development plan, having been superseded in legislation by LDPs. The more detailed assessment of the development more properly falls within the assessment at the planning application stage.

2.12 Reference to Appendix 1 added.

3.8 This section provides a brief description of the location and boundaries of the area so is not considered to be the appropriate place for a more detailed statement of policies and constraints. The points requested are indeed covered in paragraph 4.30.

3.12 Reference to the Historic Landscape of the Levels to be added to paragraph 3.18.

3.14 Noted. All woodland is a constraint, and planning applications will need to address this in their Environmental Impact Assessments.

3.20 Noted, text to be amended.

3.21 Comments noted.

3.22 Text to be added.

4 Comments noted, and references to 'south' clarified.

4.4 Support noted.

4.11 Although to a degree subjective, the SPG gives considerable guidance on design.

4.12-17 While laudable, these are not matters over which the local planning authority has much influence.

4.23 Support noted.

4.25-26 Comments noted.

4.29 Text to be amended.

4.31-33 Support noted.

4.34 Noted, but that level of detail would be inappropriate for the SPG.

5 Noted, amendment made to 5.1 and 4.25.

5.5 Support noted.

5.6 Cycle routes get specific mention in paragraph 6.11.

5.8 Text amended.

5.10-11 Text amended.

5.13 Strong support noted.

5.14-18 The use of Master Plans and Design Codes should help to ensure that there is coherence in overall design.

5.19-21 Support noted.

5.23 Support noted.

5.24 Co-ordination would be sort both between and within areas.

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54 Countryside Council For Wales:

Landscape and Drainage - Discharge onto the Levels is controlled through regulation, see paragraph 8.9.

5.30 Text amended.

5.32 Support noted.

5.35 Sustainable drainage systems (SUDS) are referred to in paragraph 8.8.

5.37 These matters would need detailed consideration in future.

Fig 10 As stated, this figure is an outline strategy, and reasonably self-explanatory. How the possible uses described in paragraph 5.37 could be developed will be a matter for future consideration as development proceeds.

5.39-40 Noted.

5.42-43 Support noted.

5.46-47 Comments noted for future attention.

5.50 Support noted.

5.51 Support noted.

5.55 Comments noted.

5.56 Comments noted, but this will be essentially an improvement to an existing road.

Pages 33-37 New paragraph added.

6, 6.3, 6.9, 6.11 Comments and support noted.

7, 7.3 Support noted.

7.7 Comments noted, though some of these are future management issues.

8.7, 8.9 These address the stated concerns.

9 Support noted.

9.3,4 Comments noted.

10.4 Comments noted.

10.7 Support noted.

10.8 Text amended on cycle parking. Changes to allocations, such as for employment, would need to be relate to monitoring and review. Planning applications and their EIAs would need to address issues around managing and maintaining biodiversity interest.

11.1 While this is supported, it is not within local authority control.

Appendix 1 Noted

Appendix 5 Noted.

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81 CPRW Newport and Valleys Branch:

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Issue: Eastern Expansion Area

Summary: Emphasis should be on developing the brownfield site, and stop development on greenfield.

RepresentationText: OVERVIEW

- i) CPRW appreciates being consulted upon the above SPG, despite the fact that it continues to be firmly of the view that development on the scale envisaged should not take place upon greenfield land north of the Steelworks regeneration. A paper attached as ANNEX I to this response reiterates CPRW's stance in this matter.
- ii) The draft is a detailed one, which includes many sound suggestions for progressing development.. The appendices are helpful additions. The full index usefully gives page as well as chapter numbers.
- iii) A glossary of acronyms should be included as an additional appendix. This is attached as ANNEX II.

DRAFT

1. VISION

1.1 1st sentence - CPRW does not see a greenfield development as being intrinsically sustainable.

1.4 4th sentence - it is assumed that new infrastructure does not mainly constitute new roads.

2. PROCEDURES AND CONTEXT

2.5 2nd sentence - CPRW is not sure that it is necessary for a "step change" in the quality of development to relate to the whole of Wales, except as a demonstration that Newport City Council is an 'exemplar' authority.

3. THE EASTERN EXPENSION AREA.

3.1 1st sentence - it would have been useful to indicate the line of the possible new M4 on Figure 2 (Figure 1 is too indefinite in its outlines to be suitable for this purpose)

3.1 1st sentence - the text should state: '...the alignment of the proposed new M4...'; not "...the proposed alignment of the new M4"...'. Development of the 'M4 Relief Road' is not yet certain on any line.

3.8 3rd sentence - this fails to give any clue as to the high environmental value of the Levels, mentioned as being of "high quality" in paragraph 3.18, 3rd sentence).

3.10 2nd sentence - "CADW" should be 'Cadw' (it is not an acronym). It would be helpful to indicate that this is the Welsh Assembly Government's advisor upon heritage issues ("CADW" also appears in the 2nd sentence in paragraph 3.12 and in paragraph 5.36, 3rd sentence).

3.14 3rd sentence - examples of the "species" to be protected might be given.

3.17 The 1st sentence is worded in an ungrammatical fashion. Suggested redrafting is: 'The steelworks site comprises filled and levelled ground, with nothing remaining of the previous Levels landscape'.

3.18 CPRW is pleased to observe that the 3rd sentence appears to be critical of development upon the Levels, while noting the fact that the 2nd sentence in paragraph 3.8 makes the much less acceptable statement that Levels land is allocated for employment uses in the UDP.

3.21 2nd sentence - given the "cSAC" acronym, it would be less confusing to refer to the Levels as being a 'candidate Special Area of Conservation' or, alternatively, to give the abbreviation as 'pSAC'.

3.22 CPRW supports the maintenance of "connectivity corridors" (2nd sentence).

Figure 8 – the key is insufficiently comprehensive. It ought to include water (blue) and existing natural features (pale and dark green) notations. In addition, parks (paragraph 5.8, 2nd sentence) / parkland (paragraph 5.34, 2nd sentence) ought to be shown.

Chapter 4 lacks an overall heading.

4.2 3rd sentence – the fact that that "other vehicle movements" join walking, cycling and public transport in being "appropriately" provided for encourages CPRW to expect that private car travel will be actively discouraged by measures taken to promote the more sustainable modes.

4.4 CPRW notes with approval the 2nd sentence statement as to prioritisation of the steelworks site regeneration over greenfield development, and very much hopes that the aspiration will be adhered to (see also comment upon paragraph 10.8 below).

Table 1 – no places of worship are listed, presumably on account of the fact that full consideration has not yet been

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81 CPRW Newport and Valleys Branch:

given to this issue (paragraph 4.22, 1st and 2nd sentences refer).

4.8 2nd sentence - up to 30 % of total dwellings as affordable could mean less than this. It ought to be a minimum figure.

4.9 2nd sentence - CPRW hopes to see maximum, rather than minimum housing densities achieved, not just in proximity to village centres (paragraph 4.10, 1st sentence).

4.11 The provision of low density development, regardless of its quality, depends upon area characteristics to be protected.

4.15 1st indent – village centres should be accessible to the whole community on foot and by bicycle.

4.21 Community meeting places must be amenable to adaptation as use needs change.

4.23 1st and 3rd sentence – these embody sound thinking as to phasing of facilities in line with residential uptake and growth. The same remark is made in respect of the 2nd sentence message as to coordination of provision with development.

4.24 In view of the current interest in vegetable growing, a form of open space that should be provided is that of allotments. This will help to compensate for the fact that at least a portion of new dwellings are likely to have small gardens.

4.32 Final sentence - CPRW supports the concept of providing dwellings over shops as being a useful means of reducing land-take, increasing the proximity of residents to facilities and preventing centres from becoming lifeless after business hours.

5. URBAN AND LANDSCAPE DESIGN

It would be useful to refer the reader to more detailed information contained in Appendix 5.

Chapter 5 demonstrates too great a tendency to repeat information given earlier in the text.

5.1 6th vision statement – the word “Encourage” should be the more positive Provide (“access to a variety of transport modes”).

5.3 Under Character – a comma is needed after the word “landscape” in the 1st line.

5.3 Under Quality of the Public Realm – the text is poorly drafted. An improvement would be: ‘contribute to local identity by promoting public spaces and routes that are attractive ...and work effectively for all society.’

5.3 Under Ease of Movement... - the 2nd sentence would be better worded as: ‘provide good public transport, walking and cycling links to shops, and ensuring that routes are safe and secure at all times of the day’.

5.3 In order to achieve conformity of wording, the Ease of Movement...instruction should begin: provide (see above) and the Diversity and Continuity... instructions should begin: promote.

5.3 Under Legibility - this is expressed in jargon that will be incomprehensible to the non-expert. If it is essential that ‘Legibility’ be used as a sub-heading, the accompanying description should be confined to saying: ‘provide recognisable routes...’.

5.3 This section of the draft provides an opportunity to comment that:

i) it is generally recognised that culs de sac constitute an undesirable form of development from the point of view of accessibility to all parts of a residential development;

ii) no very definite reference is made in the draft to provision of shared-use streets that prioritise the needs of users on foot, and which can engender community interaction.

5.4 3rd indent – CPRW would like to see a more positive approach taken to use of the most sustainable forms of people-movement. Encouragement, while useful, is insufficient. A rewording suggestion is: ‘there is an increase in use of public transport and in walking and cycling’.

5.6 2nd sentence – segregated pedestrian routes may be useful as short cuts to facilities from people’s dwellings or workplaces, and can be more pleasant in use than footways alongside roads, even if the latter carry only local traffic. The 4th sentence contains sound advice.

5.6 Final sentence – it is important that street names and house numbers can be readily seen (road name plates should be placed on both sides of the highway). Cul- de-sacs should be avoided.

5.8 3rd sentence - CPRW wonders to what extent a mere “hamlet” will assist in embedding Hartridge School in the local community.

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81 CPRW Newport and Valleys Branch:

5.10 and 5.11 CPRW supports the proposed urban structure in the south.

5.14 2nd sentence - master plans must be subject to wide public consultation before applications are submitted.

5.19 2nd sentence - the comment is made that not all developers' "standard house types" are either exceptionally ill-designed, or offer poor accommodation; after all, these are only built because they are marketable.

5.21 3rd sentence - use of local materials also contributes to shorter haulage distances, an advantage that should be acknowledged.

5.23 In the interests of wording consistency with the introductory statement, CPRW suggests that several indents be redrafted, thus:

4th indent – 'prioritisation of internal pedestrian movement within the centre'

9th indent – 'an attractive and vital centre, with a range of uses...'

10th indent – 'buildings with frontages to the internal route network...'

5.24 3rd sentence – while it is accepted that that "where levels of activity are greatest", particularly robust materials should be used, all public spaces must be constructed to high quality standards.

5.26 No reference is made to any form of public consultation or involvement in connection with "design review".

5.28 The listed "objectives" are endorsed.

5.30 2nd sentence - it is not known what is meant by "conditions" in this context.

5.31 3rd sentence – CPRW is not sure how maintenance of water "quality" will help to control "flow rates", though notes that paragraph 5.35 gives further information upon this topic (penultimate sentence).

5.36 3rd and 4th sentence - the restoration of Llanwern Park is strongly supported.

Figure 10 has no key.

5.38 1st sentence - it would be more appropriate to say: 'The Gwent Levels offer a special background to development...'. Use of the word "setting" is too suggestive of the Levels being an area within which built development is to be placed.

5.46 and 5.47 Sound proposals as to design of the lake are outlined.

5.51 1st sentence – CPRW commented on lack of allotments in response to paragraph 4.24. It might be possible to provide these on the "greens". As described, they are more akin to parkland than to the traditional village green (though sketch 11 on page 34 depicts a "Village green"). Clarification would be helpful.

5.52 2nd sentence – it is suggested that a band stand would be a suitable additional feature, attracting concerts by local and regional music-makers.

There is no heading to the series of sketches on pages 33 – 36, and drawings relating to north and south sites are not differentiated.

6. TRANSPORT AND ACCESS

6.3 CPRW does not know to what extent the "requirements" are in priority order, but is pleased to see public transport provision listed second.

6.8 1st sentence - the recognised acronym is Sewta, not "SEWTA".

6.9 and 6.10 It is encouraging to note that Public Transport is dealt with in the draft in advance of Upgraded Highways Infrastructure – CPRW, while appreciating that improved highways will be of benefit to the operators of buses, coaches and taxis (and possibly to those who cycle or travel on foot), considers public transport, walking and cycling provision to be the priority action in sustainability terms.

6.11 There is no indication here as to whether footpaths and cycle tracks are to be segregated from one another – a more convenient arrangement for both categories of user.

7. CONSERVING RESOURCES

7.5 The 1st sentence is somewhat awkwardly worded. An improvement would be: 'A target Building Research Establishment's...EcoHomes 'excellent' standard, or equivalent for commercial and other developments, should be set'.

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81 CPRW Newport and Valleys Branch:

7.6 1st sentence - CPRW does not accept that verification of proposals can confirm that the completed development has achieved the standard. The text should state:

'...to confirm that they meet the required standard, and it must be similarly verified that the completed development has achieved the standard'.

7.7 It is noted that the 1st and 4th "qualities" relate to durability in its long-lasting, rather than in its adaptation sense.

8. UTILITIES, DRAINAGE...

For emphasis, this chapter should begin on a separate page.

8.5 The firmly worded final sentence is strongly supported by CPRW.

8.6 In addition to indicating that the Environment Agency is a "statutory consultee on planning applications", the text should briefly outline its role as environmental regulator, with particular responsibility for water and waste issues.

9. COMMUNITY INVOLVEMENT

Disappointingly brief attention has been to community involvement and the all-important consultation in this very short chapter.

9.2 In the introduction to the indents, it is unsatisfactory to state that the "range of measures" could include the listed actions, giving the impression that these might not be implemented. In line with the declaration that a "full and active role should be given to the...community" (respondent's emphasis), the text should say that these measures 'will include'.

A schedule of consultation exercises, with dates (tentative at this stage) should be provided.

10. IMPLEMENTATION

This lengthy chapter should have begun on a separate page from Chapter 9.

10.4 It is assumed that the documents listed will be made conveniently available to consultees at planning application stage.

10.5 Will the referred to "design guidance" be approved by the Council following consultation with interested parties (2nd sentence)?

10.8 Under Residential Development, 3rd indent – CPRW disagrees in principle with concurrent greenfield / brownfield development, with emphasis upon the undesirability of building upon undeveloped land in advance of sites that are amenable to reuse.

10.8 Under the above sub-heading, 4th indent - CPRW has argued in connection with UDP consultation that development of greenfield sites should not be sanctioned as a means of funding urban regeneration.

10.8 Small scale employment spaces provision is included under Employment Development and under Social, Community and Other Supporting Facilities, 3rd indent and 2nd item respectively. It is suggested that this be removed from below the latter sub-heading.

10.8 Under Employment Development – the indents are inconsistently worded, and the 1st of them is incomplete. CPRW suggests the following changes to the first three:

- 'a sufficient quantity of land for large scale employment uses to be located within the eastern part...';
- 'land for employment uses to be located...';
- 'land or premises to be made available...';

10.8 The Social, Community...entry is drafted out of conformity with the remainder in that one indent covers a number of items, rather than each item being in the form of a separate indent. 2nd, 3rd 4th, 5th and 6th indents should cover:

- "local retail facilities";
- "community facilities...";
- "primary school provision...";
- "contributions to secondary school provision...";
- "facilities for the effective operation of the emergency services...".

11. SUMMARY CHECKLIST OF REQUIREMENTS

The above title should head a separate page.

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81 CPRW Newport and Valleys Branch:

11.1 To accord with the wording of the indents, the introductory statement should read: 'The broad principles of development are for provision of:'.

11.1 3rd indent – for consistency, this should be reworded as: 'affordable housing, provided according to...:'.

11.2 1st indent, clause i) – the word "reserve" should be 'reserved'.

11.2 1st indent, clause ii) – what is meant by "intermediate mode transport"?

It is noted that no reference is made to utilities infrastructure.

11.5 Criticism has already been directed toward lack of attention to adequate community engagement / consultation (in response to Chapter 9).

Desired Change:

Recommendation:

Comments noted.

1.1 The issue of greenfield development was addressed through the UDP, and in total Newport achieves a proportion of brownfield development.

1.4 Infrastructure is a generic term, covering for example such items as sewerage and water supply.

2.5 The Council has a high ambition for this area, not least as it contains one of the largest brownfield sites in the country.

3.1 The line of the new M4 is, of course, an Assembly responsibility and its precise route and timing will be an Assembly decision, and which has issued a proposed alignment.

3.8 This section gives a brief description of the area, not a full analysis.

3.10 Agreed.

3.14 Examples could prove to be misleading, so are not included.

3.17 Agreed.

3.18 Noted.

3.21 It is the Severn Estuary that is a pSAC, and text to be changed.

3.22 Noted.

Chapter 4 The heading comes before Figure 8.

Fig 8 The diagram appears to be comprehensible.

4.2 Comments noted, but transport needs to be integrated.

4.4 Comments noted. Further development will be subject to the LDP.

Table 1 These are likely to be in village centres, though this is yet to be determined.

4.8 The amount of affordable housing is a matter for negotiation, and if it does not take account of economics could frustrate development, not result in more affordable housing. Council policy is to seek up to 30% affordable.

4.9 Noted.

4.11 Agreed, text to be amended.

4.15 Agreed, but this is implied already.

4.21 Flexibility could be important, but this is considered to be a matter for a later stage in the process.

4.23 Noted.

4.24 There are currently underused allotments on the edge of the EEA, and consideration is being given to their relocation.

4.32 Noted.

5 Reference to Appendix 5 added to para 5.2. While there may be some repetition, this may have value in giving emphasis, and no specific proposals for alteration have been made.

5.1 Agreed: change 'Encourage' to 'Provide'.

5.3 Agree comma, also insert one after 'society'. Agree amendments to Ease of Movement and Diversity sections, Legibility section to be redrafted. The points on cul-de-sacs and shared-use streets are largely covered in paras 5.5 and 5.6.

5.4 While the sentiments are supported, the outcome will reflect individual choices, and no change is proposed.

5.6 Shortcuts can also be the location for anti-social behaviour so no change proposed.

5.6 Noted, but no change proposed.

5.8 As part of a wider picture of development in the EEA, this should assist Hartridge which currently has virtually no housing next to it.

5.10-11 Support noted.

5.14 Comment noted. Developers have already held public consultations.

5.19 Comment noted, but the key is that the development should be designed for the site.

5.21 Agreed, text to be amended.

5.23 Disagree, the grammatical niceties may obscure the meaning.

5.24 Sentiments noted, but clearly there is a case for prioritisation of scarce resources.

5.26 Many opportunities exist for public involvement.

5.28 Support noted.

5.30 'Conditions' are seen as in a wide, generic context.

5.31 It is the landscape that helps with water quality.

5.36 Support noted.

Figure 10 This figure is stated to be an outline strategy and is considered to be reasonably self-explanatory.

5.38 Comments noted, but the site is actually part of the Levels, albeit a previously developed part.

5.46-47 Support noted.

5.51 See 4.24.

5.52 Suggestion noted.

Sketches Reproduced from the earlier Development Framework, these are considered to be self-explanatory.

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6.3 Comment noted.

6.8 Text amended.

6.9-10 Comments noted.

6.11 Comment noted.

7.5 Disagree that suggestion clarifies, but text amended slightly.

7.6 Text to be amended.

7.7 Noted.

8 Page break added.

8.5 Strong support noted.

8.6 Not strictly necessary to be stated.

9 In part, the consultation is on the SPG, not in it.

9.2 It is not considered appropriate to be overly prescriptive.

10 Page break added.

10.4 Noted.

10.5 Agreement will be necessary.

10.8 Noted, but there is much common or linked infrastructure necessary. See also adopted UDP policy SP26.

There is no harm in duplicate mention of small scale employment spaces. As a checklist, strictly grammatical sentences are not necessarily appropriate.

11 Page break added.

11.1 Agreed.

11.2 Intermediate could include guided bus, for example.

Noted, but the development will not be able to function with the necessary utilities.

11.5 This reequirement helps to ensure that adequate consultation is undertaken.

Annex 1 The principle of development of the greenfield part of the site was established through the UDP. No evidence is given by the representor on job vacancy levels, but the need for new housing and employment is clear, and the potential benefits of increased spending in the catchment area are important to the city centre redevelopments. House prices and affordability are of interest, but the local planning authority has a clearly set out duty to provide for an adequate and continuing supply of land for housing. Newport has a very high proportion of its potential housing supply on brownfield land. The actual development rate will depend on market realities, and given the later start than originally anticipated, is unlikely to have occurred by 2011. Urban fringe issues are noted, but the principle of development here is established in the UDP. Ease of access to the countryside is likely to be increased by this development. The owner of the steelworks site is confident to take forward his proposal in the context provided by the UDP.

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108 FRCA:

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Issue: Eastern Expansion Area

Summary: Beneficial use should be made of agricultural land not needed for development immediately.

RepresentationText: Technical Services Division (WAG) comments provided direct to local planning authority, as requested.

TSD comments at this time concern the application of guidance within Technical Advice Note 6 and in particular paragraphs 7 to 11. The fact that a considerable area of agricultural land identified within the Eastern Expansion Area lies outside the current framework for development and will not be developed during the plan period to 2011 is relevant to the consideration.

The beneficial use of agricultural land identified for development in the longer term should be safeguarded in the short and medium term by positive management measures. This issue is taken up at paragraphs 4.34 and 4.35 of the draft SPG, and is supported by TSD. In addition, the beneficial use of agricultural land in the vicinity should also be considered to ensure the development is designed to minimise the impact on agricultural operations in the surrounding area.

Desired Change:

Recommendation: Comments noted.

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134 Redrow Homes (SW) Ltd:

Agent: Harmers Limited: Andrew Muir, Managing Director Ref: 61

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Issue: Eastern Expansion Area

Summary: Objects to development on higher ground.

RepresentationText: We are acting for Redrow Homes who have an interest in land within the northern part of the Newport Eastern Expansion Area. Redrow objects to Figure 8 (Proposed Land Use Framework) on the basis that it includes land for development which cannot be justified on landscape grounds. Part of the the development in the northern area is proposed on land over the 50m contour which is in direct contradiction to the landscape appraisal on which the draft Supplementary Planning Guidance is based. Plan 1 which is attached to this letter shows that part of the area of land identified for housing and a school lies above the 50m contour. This is in direct contradiction to the landscape appraisal on which the Draft Supplementary Planning Guidance is based.

The East Newport Development Framework Plan Going for Growth Final Report was published in July 2004 prior to the Unitary Development Plan Inquiry. The areas identified for development in the July 2004 report and in the current report are substantially different. There is no justification or explanation in the SPG Consultation document why the areas proposed for development are different to those proposed in the previous report.

Both documents include Fgiure 5 "Northern Area Landscape Feature" and an extract of this figure is included as plan 2. This figure identifies the 50m contour line in which it is identified that there are "views/slopes". However, despite this landscape constraint shown in both documents the current consultation SPG proposes development within this constrained area.

It is quite clear that including land over 50m for development is contrary to the results of the landscape appraisal elsewhere in the consultation document. Paragraph 5.7 states:

"In the north development will be carefully planned and designed to fit within the landscape responding directly to the natural topography and vegetation."

In addition paragraph 5.32 of the SPG states the following:

"To the north of the railway the development must respect the existing landscape context and achieve development that harmonises with the landscape setting. This will include among other things the detailed consideration of:

- * the visual impact of the development in key views
- * responding positively to the topography; and
- * keeping skylines free from development in key views within and of the site.

It is evident that including land over the 50m contour the draft SPG has not taken into account its own appraisal. The previous Framework Plan published in July 2004 was based on the same landscape appraisal and excluded land over the 50m contour.

Submissions were made by the Hankinson Ducket Associates Landscape Architects to the Housing Round Table for the UDP on behalf of the City Council. These submissions recognise that whilst within the northern EEA the landscape character would change by virtue of the proposed housing development, village facilities, new access arrangements etc, the most distinctive characteristics of the site would be retained. The submission identified a number of potential effects including the following:

- * The wooded hilltops: the wooded hilltops which are over 50m AOD or above are prominent within the surrounding landscape and contain articulate views of the lower lying areas of farm and settlement within the EEA. The development proposals for the EEA retain wth wooded hilltops, free from development and build on their contribution to the landscape structure of the local landscape. New woodland planting would provide a buffer to the existing woodland and provide additional habitat and containment for the development.
- * Settlement Pattern: The existing pattern of settlement in the EEA is focused on the nucleated settlement of Llanwern and Underwood, and small hamlets and Little Milton, Tennyson Avenue and Hartridge. The proposals would result in large nucleated settlements within largely agricultural landscape.

There is no explanation in the draft Supplementary Planning Guidance for a change in the areas proposed for development despite the landscape appraisal being the same. There has been no change in circumstances since this appraisal was undertaken, and these submissions were made to the UDP Inquiry. A planning application has been submitted by Gallagher Estates which also includes land over the 50m contour. It is suggested that this planning application is not so much based on planning considerations but the convenience of land ownership. It is disappointing that the the draft SPG in proposing land over the 50m contour has also ignored these landscape considerations.

It is therefore proposed by Redrow Homes that the area proposed for development in the northern area EEA is amended by deleting the land over the 50m contour and replacing it with land which they consider more suitable for development. This is shown on plan 3.

For your consideration it is also considered that as the draft SPG covers such an extensive area that it should be subject to Strategic Environmental Assessment and we have written to the Welsh Assembly Government advising them of the situation.

I trust that the above comments will be taken into account in the preparation of the final SPG.

Desired Change:

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Recommendation: The SPG seeks to keep development away from the highest areas and to make those available as public open space. The original 2004 East Newport Framework was prepared on the basis of a higher number of dwellings, but now the SPG needs to reflect the 1,100 dwellings approved in the UDP. The location proposed centres on the village whilst seeking to minimise impact on it, giving a sufficient degree of concentration for cost efficient provision of infrastructure. The SPG's framework seeks to respond to the topography and keep skylines free from development, and provides for significant areas of higher ground to be provided as public open space. The alternative site proposed on behalf of Redrow, while avoiding higher ground, would tend to have a greater impact on the existing village. The UDP was prepared with the necessary Environmental Appraisal and Sustainability Appraisal as required by regulations at the time. The consultants who carried these out considered that together these would have met the requirement for a Strategic Environmental Assessment, should it have been required. As the plan was adopted before 21 July 2006, this was not required. The SPG, as non-statutory, does not require SEA, though any planning applications will need to include all relevant environmental information.

134.E2		O		M	EEA							GF
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Issue: Eastern Expansion Area**Summary:** Request for response on SEA requirement.

RepresentationText: We recently submitted comments on behalf of Redrow Homes on the above draft Supplementary Planning Guidance. In the letter I stated that as the Draft SPG covers such an extensive area that it should be subject to a Strategic Environmental Assessment and that we had written to the Welsh Assembly Government advising them of the situation.

I have now received a response from WAG and they have confirmed that the requirement for an SEA may apply to the SPG even though it is non-statutory. WAG has referred to paragraphs 2.5, 2.6 and Fig. 2 of the UK Practical Guide to the SEA Directive which should be used to determine whether a SEA is required.

Where SEA is deemed to apply to SPG, SEA Regulation 9(1) requires the Local Planning Authority to follow a screening procedure by consulting the three environmental consultation bodies and making a determination on whether or not there are likely to be significant environmental effects.

I should be grateful if you would let me know whether you the Council has considered whether or not the draft SPG should be subject to a SEA and if so whether it has been the subject to a screening procedure under the SEA Regulations. I should also be grateful if you would provide me with an indication of the timetable for it to be adopted by the Council.

I look forward to hearing from you.

Desired Change:

Recommendation: Strategic Environmental Assessment - The UDP was prepared with the environmental procedures appropriate at the time. Thus an Environmental Appraisal was carried out in 1998 on the Draft Plan which then informed the Deposit Plan, and a Sustainability Appraisal was carried out on the 2nd Proposed Changes Plan, with an update on the 3rd Proposed Changes, which constituted the UDP as examined in the Public Inquiry. Together, these two Appraisals were considered to constitute in effect a Strategic Environmental Assessment, although this was not required as the plan was adopted in May 2006. The East Newport development proposals were also subject to a sustainability report which was a core document in the UDP inquiry (CD074): Sustainability at East Newport, produced by Faber Maunsell. Considerable work has therefore been undertaken with regard to the appraisal of this development proposal, but as the SPG is not required by legislative or regulatory provisions, formal SEA is not considered to be required.

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250 Persimmon Homes(Wales) Ltd:

Agent: White Young Green: Paul Vining, Director Ref: 34

250.E1		O		M	EEA							GF
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Issue: Eastern Expansion Area

Summary: Objects procedurally.

RepresentationText: You will recall the e-mail that we sent to Mr Wyn Mitchell on 14 February 2007, on behalf of our client, when we became aware of the content of the report to Cabinet on the draft SPG. The e-mail made two points:

1. First, we advised that our client had taken the advice of Leading Planning Counsel, who had confirmed that the SPG should be subject to Directive 2001/42 of the European Parliament and the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004. We now enclose, for your information and consideration, a copy of that Opinion, given by Mr Anthony Porten QC and dated 23 September 2006. You will see that, in giving his advice, Mr Porten has taken account of the argument that you advanced in your letter to us of 17 August 2006 that the SEA Regulations do not apply in this case.
2. Second, we reminded Mr Mitchell that we had written to him on 26 October 2006, suggesting an alternative form of development in the northern part of the EEA (further copy attached - our drawing no. LM.02), and were surprised that his report to Cabinet made no mention of this and that it did not contain an explicit consideration of the merits of alternative development patterns for this area.

In view of the above, we consider that the process of preparing the SPG is fundamentally flawed. We are now instructed by our client to draw these procedural inadequacies to the attention of the Planning Division of the Welsh Assembly Government and we are today copying this letter to the Head of Planning at the Assembly Government. A copy of our letter to Ms Rosemary Thomas is attached, for your information.

SUBSTANTIVE COMMENTS

Our comments on the content of the SPG are set out below under a series of headings. They are supplemented by an appendix, prepared by PFA Consulting, which deals with certain technical aspects.

Links to adjoining areas

One of the key principles in designing sustainable urban extensions is to create 'connectivity' to existing or proposed adjoining neighbourhoods, preferably by non-private car based modes of travel, particularly on foot or by cycle. This recognises the fact that most urban extensions are not self-contained and that they tend to share facilities with adjoining areas. This is particularly important during the early stages of the development of a new urban extension, but it also applies where the new suburb is relatively small, as is the case with the 1100 units proposed in the northern part of the EEA.

The SPG scheme has poor connectivity. The Council seeks the creation of a new local centre, but the chances of achieving this with such a limited catchment area are poor. The existing centre at Ringland is relatively close (only some 400 metres west of the centre of the new Llanwern Village scheme), but it is likely to be very difficult to get to by any mode of transport and may be unattractive to new residents of the EEA. The proposed district centre, based on the existing Newport Retail Park, is accessible only by car or bus. The SPG signally fails to develop links to existing communities and facilities at Underwood and Langstone, whereas the alternative scheme that we submitted to you in October 2006 proposed a bus link to both of these neighbouring settlements. In this respect, it is regrettable that Figure 7 of the SPG makes no reference to existing community facilities in Langstone.

Skyline Development

At various places in the SPG (for example, paragraphs 3.22 and 5.32), the objective is identified of keeping the ridgelines free from development. This is not reflected in the development framework itself, which proposes residential development on land to the south of Cot Hill, on the eastern edge of the EEA, which will, in our opinion, constitute prominent skyline development. To illustrate this point, we enclose a copy of our drawing no. LM.01 (which we submitted to you previously in October 2006), on which we have superimposed the development areas from the SPG. It would appear that some of the development that will be most prominent is on land in the ownership of your Council. Had the SPG been subject to strategic environmental assessment, it is likely that this anomaly would have been identified. Land to the north of Cot Hill is more enclosed and, in accordance with the alternative scheme that we submitted to you in October 2006, a greater amount of the residential development should have been located there.

Ecology

Figure 6 of the SPG sets out ecological constraints in the EEA. It is clear that the land use pattern proposed in the SPG will affect areas to the south of Cot Hill that have been identified as 'moderate constraint' to development on ecological grounds. Given the extent of land available within the EEA, it is not necessary for such relatively high value ecological areas to be promoted for development at this time. Had the SPG been subject to SEA, this conflict would have been identified and those areas could have been avoided. The alternative scheme that we submitted to you in October 2006 did not suffer from this disadvantage.

Impact on Llanwern Village

The proposed development encroaches too much on Llanwern village and existing development at Cot Hill. Given the availability of other, more suitable land, this is unnecessary and potentially damaging.

Planning Obligations

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We welcome the scope of legal agreements envisaged in the SPG (at section 10.8). However, what appears to be diluted in this list is the anticipated cross-subsidy from development in the northern part of the EEA to brownfield, urban regeneration in the city. We have consistently argued that the incorporation of the large area of land owned jointly by our client and the National Assembly for Wales would have enabled a greater measure of planning gain and it is disappointing now to see that the cross-subsidy proposals appear to have been down-played in the SPG.

Ringland Way/Cot Hill access

Notwithstanding the proposal for a north-south link across the railway, the principal access to the northern development area of the EEA will be direct from the Ringland Way section of the SDR. The access shown on the SPG uses the existing Cot Hill road and is not compliant with the adopted Newport Unitary Development Plan. On the UDP Proposals Map, the access into the northern part of the EEA is represented by an arrow, signifying a new access to the north of Cot Hill. The SPG access is (a) unnecessary, given the existence of an alternative route (as shown on Proposals Map and on the scheme we submitted to you in October 2006) and (b) would have adverse environmental and highway consequences. The existing Cot Hill access is unsuitable to serve as a principal access to such a large development area and you appear to have accepted, without critical judgement, the proposals submitted by Gallagher, which seek to serve the entire development from a highway of very restricted width and substandard specification.

Secondary school

The proposal for residential development within the existing grounds of Hartridge High School is predicated solely as enabling development (paragraph 5.8). It would be preferable for existing education land to be retained as such, in accordance with Government policy, to cater for future expansion and for recreational facilities, and for the enabling development to take place on other land.

Local Health Facilities

Paragraph 4.13 of the SPG notes that an assessment will be required of the need for local health facilities. Such an assessment should have formed an integral part of the preparation of the SPG and the land use and other requirements included in the document.

Main Transport Infrastructure Requirements

We welcome the commitment in the SPG to the provision of a north-south link across the railway line and to the improvement of The Queensway as a major entrance to the city from M4 Junction 23a. In the text of the SPG, these are regarded, rightly, as developer commitments. This is not followed through, however, in Appendix 4, which gives the projected cost of those works but does not unambiguously ascribe them to the developer. The table in Appendix 4 should be amended by the introduction of an additional column so that both the costs and public sector/private sector responsibilities for the infrastructure items are clearly identified. The table as currently presented is incomplete and confusing.

Public Transport

Paragraph 6.5 states that the EEA "...is poorly served by public transport at present and the development will be required to provide for new and extended services to and within the area." Paragraphs 6.6 and 6.7 do nothing to explain how the development will be integrated with existing services, what the route changes will be, what the frequency of services will be, or what the expected levels of capital and revenue support will be throughout the life of the scheme and beyond.

Development after 2011

Paragraph 2.4 of the SPG notes "... the potential of the area to provide for significant development into the longer term ..."; paragraph 4.4 identified this as 2500 dwellings in the northern part of the EEA; and paragraph 2.6 notes that the EEA development will "provide a framework to allow further development post 2011." Whilst we recognise that the UDP Inspector made no recommendation about growth in the EEA post 2011, we would have thought that the SPG should have indicated the principles underlying such growth to ensure that the selected development pattern and infrastructure system are conducive to and efficient for that purpose. At various points in the SPG (for example, Table 1 and paragraph 4.26) precise, phased development predictions are made for the southern part of the EEA but not the northern part.

Desired Change:

Recommendation: PROCEDURAL COMMENTS

Strategic Environmental Assessment - The UDP was prepared with the environmental procedures appropriate at the time. Thus an Environmental Appraisal was carried out in 1998 on the Draft Plan which then informed the Deposit Plan, and a Sustainability Appraisal was carried out on the 2nd Proposed Changes Plan, with an update on the 3rd Proposed Changes, which constituted the UDP as examined in the Public Inquiry. Together, these two Appraisals were considered to constitute in effect a Strategic Environmental Assessment, although this was not required as the plan was adopted in May 2006, before the latest regulations came into effect. The original East Newport Development Framework Plan and related Draft Supplementary Planning Guidance were also published in July 2004, following extensive public involvement. The East Newport development proposals were also subject to a sustainability report which was a core document in the UDP inquiry (CD074): Sustainability at East Newport, produced by Faber Maunsell. Considerable work has therefore been undertaken with regard to the appraisal of this development proposal, but as the SPG is not required by legislative or regulatory provisions, formal SEA is not considered to be required.

Also, the feasibility of retrofitting an SEA now is highly questionable. Indeed it might be seen as potentially

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undermining the UDP, which is the statutory development plan, with no prospect of amending it as UDPs are no longer the regulation style of development plan, having been superseded in legislation by LDPs. Cabinet was informed that there were other development proposals, but that the SPG set out principles for the location of development. Of note are the need for cost effective provision of infrastructure and connectivity within the Eastern Expansion Area. The proposal is for a sustainable extension of the city, not for isolated and sporadic forms of development.

SUBSTANTIVE COMMENTS

Connectivity - The SPG gives emphasis to this both within and beyond the Eastern Expansion Area (EEA). The facilities the representor refers to are very limited in extent, and the EEA is required to provide a full range of facilities, and is of a size to do so. Extending the initial development area away from the rest of the development would perform poorly with regard to accessibility.

Skyline Development - The principle remains that skyline development will be resisted.

Ecology - The SPG avoids development on areas of moderate ecological constraint, but the Persimmon proposal puts its principle access through such an area.

Impact on Llanwern Village - Buffers are included to the village, but siting development away from it will not assist in sustaining local facilities.

Planning Obligations - Significant community benefits will be sought from the EEA developments, but should not override sound planning considerations.

Ringland Way/Cot Hill Access - The arrow on the UDP Proposals Map is labelled "Indicative Access" and was not intended to be prescriptive. The junction will require improvement and the existing Cot Hill is not seen as capable of accommodating the additional traffic. Developers will need to address this. The Persimmon proposal passes through an area that is more sensitive ecologically, and there is no indication of connectivity to the rest of the EEA other than by existing narrow lanes.

Secondary School - The existing school site is considerably larger than is required, and the necessary redevelopment of the school provides the opportunity to rationalise the site while providing state of the art educational facilities. In terms of community cohesion and sustainable transport, having development near to the school is better than it being far away.

Local Health Facilities - The health authorities are reviewing requirements and the local planning authority will continue to liaise with them.

Main Transport Infrastructure Requirements - The Persimmon proposal does not address the issue of access to the North - South link. The apportionment of funding for the highway infrastructure will be part of the s106 negotiations.

Public Transport - A key requirement is the provision of circular routes through the EEA, and connectivity to the much larger steelworks site is a key consideration. Developers will need to address public transport issues in their Traffic Assessments.

Development after 2011 - The Inspector specifically did not give any indication of commitment to further greenfield development beyond the UDP allocation. This will clearly be an issue for the LDP, and it would be inappropriate to prejudge that debate. The steelworks site, being a single brownfield allocated site within the urban area is different.

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Issue: Eastern Expansion Area

Summary: Annex to White Young Green's representations for Persimmon - letter from PFA Consulting

RepresentationText: ANNEX TO LETTER DATED 18 APRIL 2007:
 TECHNICAL ASPECTS OF REVISED DRAFT SUPPLEMENTARY PLANNING GUIDANCE ON BEHALF OF PERSIMMON HOMES (WALES) LIMITED

The City Council's letter dated 9 March 2007 which announced the publication of the draft Supplementary Planning Guidance (SPG) for the 'Newport Eastern Expansion Area' informs the reader that the SPG sets out the broad principles for the development of the area.

In the opinion of Persimmon Homes, the SPG fails to adequately address the requirements outlined in the Newport Unitary Development Plan adopted in May 2006 and in turn the requirements for Supplementary Planning Guidance set out in the Welsh Assembly Government's Technical Advice Note 12: Design. This is of particular importance as the UDP proposals for the Eastern Expansion Area deliberately avoided allocating specific areas of land, leaving the matter to be determined by the SPG.

There is a lack of clarity concerning the role and function of the various documents that have been produced. It is noted that reference is made to the 'East Newport Development Framework Plan'. The term 'Framework Plan' was devised by David Lock Associates. In its commentary on the Eastern Expansion Area (EEA) which was submitted as a background briefing to the Round Table session of the UDP in January 2005, David Lock Associates stated at paragraph 5.02 that:

"The Framework Plan aims to create a balanced community with a full range of housing types and tenures supported by new schools, local shops and services and places to work as well as new strategic employment sites to meet the needs of the city and sub-region."

It goes on at paragraph 5.03 to state:

"Improved access and transport measures will ensure the EEA is a well-connected community with new and upgraded highway links, the extended bus network and local cycle routes and footpaths. A site is reserved for a passenger rail station."

and at paragraph 5.04 it states:

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"In developing the Framework, the EEA has been considered as a whole, combining built development with landscaped measures, land management and landscape restoration."

At paragraph 5.06 reference is made to Figure DLA4 which provides the land use plan from the Framework and paragraph 5.07 makes it clear that the Framework identifies further potential at Langstone Court and to extend Underwood.

Persimmon Homes consider the continued use of the expression "East Newport Development Framework Plan" in respect to the SPG is both misleading and confusing. It is clear that the SPG is only concerned with part of the Eastern Expansion Area.

The report to Cabinet on 15 February 2007 deals with Transport Infrastructure at paragraphs 1.8 to 1.12. Paragraph 1.8 sets out the key requirements, paragraph 1.9 comments on improvements to The Coldra (Junction 24 on the M4), paragraph 1.10 comments on the railway station and park-and-ride facility and paragraph 1.12 advises the SPG proposes an apportionment of those transport elements not likely to be publicly funded. Appendix 4 of the draft SPG sets out a schedule of 'Main Transport Infrastructure Requirements'; the schedule identifies a number of schemes, the estimated cost or proposed responsibility and the date required. Paragraph 6.9 of the draft SPG, dealing with 'Upgraded Highways Infrastructure' advises development will be required to provide and/or contribute to a list of schemes; and paragraph 6.10 advises the timing and standards of upgrades will be determined through the appraisal in the Traffic (sic) Assessment.

Paragraph 1.3 of the Report to Committee informs the reader that since the adoption of the UDP (May 2006), Capita Symonds was commissioned to report on the transport infrastructure required and that report has informed the SPG. It is therefore surprising that there is no reference to the Capita Symonds report in the draft SPG.

Persimmon Homes is concerned that contrary to the claim in the Report to Cabinet, the SPG does not propose an apportionment of (the costs of) the transport elements. In fact, there is uncertainty about the funding of most elements. The City Council is anticipating the Welsh Assembly Government will fund the improvements to The Coldra (M4 Junction 24) and the South East Wales Transport Alliance will fund the provision of the railway station and associated park-and-ride facility. No funding source had been identified for the opening-up of Queensway as a through route to the M4 at Magor (the Eastern Distributor Road) and the north-south links across the railway line.

Turning to points of detail of a technical nature, the SPG provides no new information over and above what was available at the time of the UDP inquiry concerning the access arrangements to serve the development areas, how public transport services will be extended and how the development areas will be drained. Some of the plans including Figure 8, the Land Use Framework, Figure 9, the Design Framework and Figure 10, the Outline Strategy for Open Spaces are poorly presented and lack detail.

1. Access

The Capita Symonds report refers to the Improvements to the Southern Distributor Road (SDR) junctions, which are identified as 'Main Transport Infrastructure Requirements' in Appendix 4 of the SPG. It is noted that Capita Symonds have simply adopted the proposals put forward by the applicants of the developments for Llanwern village and Llanwern Regeneration Site respectively. In particular the access to Llanwern Village at Cot Hill relies on shuttle-working through a narrow pinch point. This proposal does not conform to intentions shown on the UDP Proposals Map. In respect to the improvements to the Queensway Roundabout and the Nash Road junctions, improvements will, according to the Transport Assessments produced by Halcrow for the developments, be required earlier than 2019 and 2015 respectively.

Persimmon Homes is concerned that the Capita Symonds report has not devised access proposals and considered the improvements required to the existing highway network independently from the the submissions by the developers.

2. Highway Improvements

The Capita Symonds report refers to the other off-site highway improvements. The intention that the eastern Distributor Road is open by 2011 as a single carriageway to Junction 23a at Magor is welcomed. However there is concern that no funding has been identified for upgrading the existing single carriageway between the eastern end of the steelworks (the Corus main access, identified as point G on Capita Symonds diagram at page 44 of the report) and the Magor junction (described as point H in paragraph 6.29), also described as the 'Steelworks Road' in table 6.1.

Persimmon Homes support the early completion of the Eastern Distributor Road but consider that clarification needs to be made over funding for essential infrastructure.

3. Land Use Budget

The SPG at page 16 sets out the indicative land use budget making it clear that the intention is for 63 hectares of residential development and 22.5 hectares of employment development on the land south of the railway line in the period between 2011 and 2021. This needs to be read in conjunction with the list of highway improvements set out in paragraph 3.35 of the Capita Symonds report which anticipates all the schemes other than the Coldra will be provided significantly after the UDP plan period, and, because the Coldra is assumed to be a WAG scheme, the City Council will have no control concerning the timing of that scheme.

Persimmon Homes considered that the SPG needs to be revised to take into account the findings of the Capita

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Symonds report, with due regard given to the likely phasing of highway improvements and adjust the land use budget accordingly.

4. Public Transport

In terms of public transport, the SPG at paragraph 6.5 simply states the development will be required to provide for new and extended services to and within the area. There is no detail provided concerning what new services will be provided, their frequency and the associated costs. The Capita Symonds report makes brief comments about bus service enhancements but this does not address the vision of the East Newport Development Framework Plan that refers to "the transport hub will bring high quality public transport to the site, connecting city-wide and regionally". In fact the key to the transport hub, the railway station is unlikely to be provided before 2012/13, that is to say beyond the UDP plan period.

Persimmon Homes considers that this aspect of transport infrastructure, which is essential if the traffic generation rates used in the Capita Symonds report are to be realised, must be explained in greater detail in the SPG.

5. Drainage

In terms of drainage, the SPG at paragraph 8.8 makes no reference to the flood consequences assessment carried out by Halcrow which it is understood has been accepted by the Environment Agency. In terms of foul water disposal paragraph 8.11 and Figure 13 'Drainage Networks' do not provide any detail and there remains uncertainty on how the development areas will be drained. Figure 13 at page 45 shows 'foul water drainage' (assumed to be a sewer) passing into the SSSI south of the steelworks site. The planning application submitted by St Modwen Developments Ltd Ref:06/0471/O) in March 2006 is supported by various documents including a flood consequences assessment prepared by Halcrow. That document refers to a solution relying on discharge to the Nash Waste Water Treatment Works. The application does not include the route for this sewer which will need to be the subject of a separate planning application supported by an environmental assessment in view of its impact on the SSSI.

Persimmon Homes considers the arrangement for foul and surface water disposal are inadequately dealt with in the SPG.

6. SPG Plans

A number of the plans, notably Figure 8, the Land Use Framework, Figure 9, the Design Framework and Figure 10, the Outline Strategy for Open Spaces are poorly presented and lack detail. The version of the Land Use Framework Plan shown on the consultation leaflet is untitled. Figure 8 in the SPG has an incomplete legend. There is an inconsistency between Figures 8 and 9, and Figure 10 has no legend.

Persimmon Homes considers the plans in the SPG are inadequate and need to be redrawn.

7. Master Plans

Paragraph 5.14 of the SPG advises that development is to be accordance with detailed master plans prepared for land north of the railway and for the former steelworks based on the illustrative Framework Plan. The intention to have separate master plans is reaffirmed in paragraph 10.4 of the SPG. The adopted UDP at paragraphs 3.39 and 3.40 had anticipated one comprehensive Eastern Expansion Area Masterplan.

Persimmon Homes is concerned that separate master plans will fail to deliver a comprehensive development for the Eastern Expansion Area and in particular the proper phasing of essential highway infrastructure linking the two sites.

The Capita Symonds Report

Comments have been made concerning the Capita Symonds Report and the lack of reference to it in the draft SPG. The status of the Report is unclear however it is noted that among its objectives is to identify improvements to the highway network in Llanwern village and Langstone Court, and to specify public transport improvements at either location, and consideration of public transport improvements is limited to comments on rail services in section 5 and bus services in section 8 with little detail on the form of those improvements.

Persimmon Homes consider that there needs to be much greater linkage between the Capita Symonds Report and the SPG so that statements made in the SPG can be based on the technical report.

Closing Comments

In the opinion of Persimmon Homes, the SPG is flawed and will need to be significantly revised to comply with TAN 12 and in turn to allocate the appropriate areas of land and provide the guidance on the phasing of the development in conjunction with the provision of essential infrastructure.

Desired Change:

Recommendation: ANNEX

The SPG needs to supplement the UDP and cannot therefore propose a larger or longer term development than provided for in the UDP. The fact that there may be potential for further development in the longer term will be an issue to be addressed in the next plan, a Local Development Plan. It is important, however, that the area is seen as a whole, and the use of the terms Eastern Expansion Area and East Newport Development Framework Plan are considered to be appropriate; this is a major expansion of the city.

The apportionment of costs or responsibilities for highway improvements is properly the subject of negotiations under section 106, where developers will have to agree the necessary provision before consent will be given. Schemes of WAG and SEWTA are properly included.

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250 Persimmon Homes(Wales) Ltd:

Agent: White Young Green: Paul Vining, Director Ref: 34

The SPG does not define the exact route of the access from the Cot Hill junction, and this will need to be agreed to the satisfaction of the highway authority, as will improvements to SDR junctions.

The public highway east of the steelworks is of a good standard and does not require substantial improvement.

The major highway works are required by 2011, notably the Eastern Distributor Road, the North - South link and the Coldra.

The operational aspects of public transport are not considered appropriate for detailing in the SPG.

The SPG plans are considered to give useful diagrammatic representations of infrastructure requirements, which planning applications will need to elaborate in detail.

The phasing of infrastructure is covered in the SPG, and the two parts of the development need to respond to their differing landscape characteristics.

The Capita Symonds report provides essential modelling whose results underpin the SPG proposals. It also provides a common base within which specific development proposals can be assessed.

The SPG contains extensive advice on Design and further revision is not considered to be appropriate.

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357 Dwr Cymru Welsh Water:

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Issue: Eastern Expansion Area

Summary: Supports SPG and reinforces importance of utilities infrastructure.

RepresentationText: Dwr Cymru support this Supplementary Planning Guidance for the East Newport Development Framework Plan.

We recognise the strategic importance of the Eastern Expansion Area to your Authority and are pleased to see that the inclusion of Utilities infrastructure, in particular water supply and foul sewerage, and the measures incorporated on how these need to be addressed, to meet future development growth, is embedded within this document.

The SPG aligns itself to the Policies of Planning Policy Wales and Newport Unitary Development Plan and inference to utilities infrastructure is strongly featured in both these documents.

Under the heading 'Sustainability' on page 41, we note that proposals need to demonstrate measures on how to reduce demand for water and incorporate sustainable drainage measures. As statutory water and sewerage undertaker we fully endorse this requirement.

Under 'Content of Planning Application' on page 47 we note that an Environmental Impact Assessment will accompany planning applications. We are working with specific developers at present and would hope that the findings of investigations currently being undertaken can be incorporated within EIA's.

We note that 'the preparation of phasing plans will be agreed and in place prior to granting Outline consent', and that phasing plans are to ensure that off-site infrastructure are to be phased appropriately. Dependant on which parts of this area is developed first, it may not be possible for Dwr Cymru to phase its infrastructure requirement and the total infrastructure may be required from the onset. Water and sewerage infrastructure will also require significant 'lead in time' and this need to be catered for within any build programme. This requirement will need to be the subject of Legal Agreement and appropriate conditions attached to planning consents to ensure that the construction of new infrastructure is completed prior to any connections to it.

We would welcome the whole issue of Utilities Infrastructure being incorporated into any planned Section 106 of the Town & Country Planning Act 1990. As a reminder to all, and as stated on page 52 – 'tackling existing infrastructure constraints' is a key objective of the Wales Spatial Plan.

We hope the above points reinforces the importance of utilities infrastructure for such developments as without it, developments may not be able to proceed.

Desired Change:

Recommendation: Support noted.

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1401 Gallagher Estates:

Agent: Turley Associates: Peter Stacey, Director Ref: 124

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Issue: Eastern Expansion Area

Summary: Do not object, but seek some changes, essentially for clarification.

RepresentationText: 1. Introduction

1.1 These representations have been prepared on behalf of Gallagher Estates and relate to their land interests within the Eastern Expansion Area.

1.2 Gallagher Estates currently have a planning application (in duplicate) being considered by Newport City Council for the provision of 1100 dwellings within the Eastern Expansion Area (to the north of the railway line), in accordance with the adopted UDP and the provisions within this draft SPG.

1.3 As a consequence, it is anticipated that once the City Council have resolved to adopt this SPG a resolution to grant permission for the current application will be forthcoming.

1.4 These representations therefore do not seek to object to the general requirements of this draft SPG but suggest changes, essentially for clarification, which are themselves consistent with the current extensive dialogue between Council Officers and Gallagher Estates as part of the ongoing negotiations with regard to their current planning application.

1.5 These representations are set out, for completeness, in accord with the full chapter contents of this draft SPG, with brief bullet point comments alongside.

2. Chapter 1 – Vision

2.1 No comment

3. Chapter 2 – Procedures and Context

3.1 No comment

4. Chapter 3 – The Eastern Expansion Area

4.1 No comment

5. Chapter 4 – Land Use

- Paragraph 4.6 – A further opportunity, in terms of additional housing over 1100 units, exists to develop sites at Hartridge and on land adjacent to the golf course as part of the Local Development Plan process (UDP review).

- Paragraph 4.9 – The Environmental Statement (ES) accompanying Gallagher Estates' planning application for 1100 dwellings demonstrates that a density range of between 30-50 units per hectare can be satisfactorily achieved in the northern development area. Conversely, it would also be expected that an even higher density range could be achieved to the south of the railway line.

6. Chapter 5 – Urban and Landscape Design

6.1 No comment

7. Chapter 6 – Transport and Access

7.1 No comment

8. Chapter 7 – Conserving Resources

- Paragraph 7.5 – Having regard to the need for substantial planning obligations and contributions residential development should set as a target at least BRE Eco Homes 'Very Good' standard.

9. Chapter 8 – Facilities, Drainage, Flooding and Site Preparation

9.1 No comment

10. Chapter 9 – Community Involvement

- Paragraph 10.4 – The provision of detailed layout plans should accompany each 'Reserved Matters' application and should not be required at outline planning stage. A phasing plan should also be required with the first 'Reserved Matters' application and conditioned accordingly. Design Codes should also not be required at outline planning stage, but should be submitted with the first 'Reserved Matters' application.

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1401 Gallagher Estates:

Agent: Turley Associates: Peter Stacey, Director Ref: 124

- Paragraph 10.7 – Given the scale of development proposed, it is inappropriate at outline stage to agree a phasing plan for the overall development. However, an overall Phasing Plan should be submitted with the final 'Reserved Matters' application together with a mechanism to enable its review as part of additional 'Reserved Matters' applications. Key trigger points for the provision of facilities/contributions can be secured through the Section 106 process.

11. Appendix 1 – Policy Context

11.1 No comment

12. Appendix 2 – Open Space Provision

- General Recreation Requirements – If developers are able to meet their full statutory open space requirements, the additional provision of £500 per dwelling towards 'wider requirements for provision of leisure' is unreasonable and should be omitted from the SPG.

13. Appendix 3 – Useful Contacts

13.1 No comment

14. Appendix 4 – Schedule of Main Transport Infrastructure Requirements

- Having regard to the most recent Capita report, and additional cost adjustment undertaken by Faithful and Gould on behalf of Gallagher Estates, there are concerns with the accuracy of some of the costings – which are likely to change. We therefore question the need to include these figures in the schedule.

15. Appendix 5 – Sustainable Design Measures

- It is important to emphasise that these measures are 'targets'. Some are more applicable ie, 'combined heat and power' to development at the steelworks site. As a consequence, it also needs to be recognised that these objectives will be considered throughout the Eastern Expansion Area on the basis of what is appropriate for each phase or scale of development proposed and applied accordingly.

Desired Change:

Recommendation: Para 4.6 - no change proposed as it is not for the SPG to prejudge the LDP process, the Hartridge site itself falls outside the Eastern Expansion Area, and the replacement of Hartridge School is a priority and significant to the success of the wider development.
 Para 4.9 - comment on density noted, but the text is indicative rather than prescriptive, and no change is proposed.
 Para 7.5 - the target is the 'excellent' standard, and clearly there are more general moves to improve the environmental standard of new construction.
 Para 10.4 - These requirements are included to help ensure good quality overall design and coherence.
 Para 10.7 - Consideration of phasing is thought appropriate because of the size of the development.
 Appendix 2 - The proposed contribution to leisure is distinct from open space provision, and no change is proposed.
 Appendix 4 - These are considered to be useful estimates, and are stated as such, and should be viewed accordingly.
 Appendix 5 - Comments noted, but no change necessary.

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1465 Hillier, Ceri

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Issue: Eastern Expansion Area

Summary: Objects to development at Llanwern Village.

RepresentationText: I and many others, not just from Llanwern, see the plan for houses to be built in Llanwern Village as being a bad idea for Newport.

I believe the existing and future generations of people in Newport will not benefit environmentally or economically from this plan.

The area being considered for development is one of the last remaining spaces of countryside Newport has. Does the council want to be remembered as being responsible for making Newport, the newest city in Wales, a place synonymous for the destroying of green space for buildings, especially when there is plenty of brown space in the city still available to build on?

It is argued by some such development will benefit Newport economically. I believe that to be incorrect in the long term.

The people able to afford these houses will, as they do on other estates in Newport constructed in the last two decades, travel to work in Cardiff or Bristol. If you don't believe me then why are there vast queues on the M4 going in those directions at peak travel times from / to Newport?

And writing about houses and roads Gallaghers representatives admitted two major problems to me during their consultation exercise in the village. First, they could not say or even suggest what numbers of type or quality of homes will be built.

Secondly they admitted they did no traffic assessment on the Coldra as it was outside their assessment area. Yet they cheerfully admitted that an extra 300 vehicles would be using the planned Llanwern junction. This is rubbish. We know, don't we, that if 1,000 homes are built then we have to plan for a future traffic problem. A thousand homes will mean at least a thousand cars in the vicinity in the future. You don't believe me then look at what has happened to car ownership lately.

I live in Tennyson Ave. There are 25 houses and there are more cars here than homes. Most families here already have two, sometimes three cars, not because they like owning cars necessarily but they need them to get to work. So have you got road plans for the future to accommodate more than 1000 cars in Llanwern alone? I doubt it! So I ask you to throw out this plan in its entirety.

My plea is not based on NIMBYISM but on evidence of what has happened in the past in Newport.

And the most important question in the debate is can we really trust the councillors of Newport to make good decisions on controversial issues based on what is good for Newport. The evidence of listening to the people from Newport on what they want for Newport sadly, at present, suggests not.

Desired Change:

Recommendation: The greenfield housing development is a relatively small part of the Eastern Expansion Area, and Newport County Borough remains predominantly rural (about 70%).

As with all new development now, a proportion will be required to be affordable, making affordable housing available locally.

The SPG sets out the requirements for a range of housing densities, the design quality required and the Eco Homes standard sought.

Traffic modelling has been carried out for the Council and Welsh Assembly, and the developers will be required to provide necessary new highway infrastructure. The opening of the Queensway route through the steelworks site will provide significant relief to the Coldra. In addition, the Welsh Assembly proposes an improvement to the Coldra in the next two years which will increase its capacity. The North - South link will provide a new route for traffic from both the existing housing and the new development to access the area, and without using narrow country lanes.

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1466 St Modwen Developments Ltd:

Agent: GVA Grimley: Owain Griffiths Ref: 120

1466.E1		C		M	EEA							GF
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Issue: Eastern Expansion Area

Summary: Could be simplified and improved.

RepresentationText: Introduction

1. St. Modwen Developments Limited (St. Modwen) has submitted an outline planning application for the comprehensive redevelopment of the Llanwern Regeneration Site (LRS) on the eastern edge of Newport. The application proposes a mixed use urban extension of up to 4,000 new homes together with a significant area for new economic development and a network of open spaces and parkland, including three new lakes at the heart of the scheme. Substantial new infrastructure is also planned, as well as a new district or local centre and two new primary schools.

2. The form and scale of development is clearly supported in the Revised Draft Supplementary Guidance for East Newport. This is welcomed by St. Modwen.

3. However, there are a number of places where the draft could be simplified, updated or improved to reflect what is likely to be delivered on the site (following St. Modwen's detailed discussions and investigations). There are also a small number of structural matters that have been discussed with the planning authority but which still feature in the draft.

4. It is in this light that St. Modwen has prepared the following comments on the Revised Draft SPG. These are meant to be helpful and to result in a better, and more accurate, overall document. The comments follow the order of the draft (and are submitted under the draft's sub headings), and there are four general themes:

- a) the masterplan shown for LRS and the design advice included in the draft
- b) the treatment of key technical matters
- c) the connection between the LRS and other parts of the Eastern Development Area
- d) the level of detail included and required

Vision

5. Before the vision, the draft includes an untitled and unexplained version of a masterplan. This should be removed or replaced with a more appropriate diagram. It is recommended what this should be later.

6. The (written) vision itself is commendable, although St. Modwen does question whether the words "fully integrated" need to remain in para 1.1. The aspiration for a high quality and sustainable urban extension is admirable and ambitious on its own.

Procedures and Context

7. Paragraph 2.4 indicates that the longer term development of the EEA, i.e. beyond 2011, will be subject to the Local Development Plan (which is yet to be prepared). St Modwen's outline planning application has been submitted for a mixed use urban extension of up to 4,000 dwellings on the former steelworks. As a wholly brownfield site, the principle of development beyond that anticipated in the plan period clearly does not need to wait for the LDP. This is made clear elsewhere in the draft SPG as is the priority to be given to regeneration of the LRS in advance of any further greenfield land releases. St. Modwen recommends that a further reference at the beginning of the SPG would help to clarify this position.

8. Paragraphs 2.8 and 2.9 refer to the East Newport Development Framework (ENDF), and state that it should be read alongside this SPG. This appears to be wholly unnecessary - there is more than sufficient guidance in the draft SPG.

9. It would also help, in this respect, to adjust paragraph 2.12. Here, in the final sentence, "Appropriate" should replace "Substantial" as the first word to reflect what is said elsewhere in the paragraph.

The Eastern Expansion Area

10. This section probably requires little adjustment, although a general description of the area to the north of the railway line as "countryside" would be more accurate than the "agriculture" or "agricultural land" used at the moment (e.g. Paragraph 3.2, 3.13, 3.15). Equally, paragraph 3.17 could be amended to read: "The site of the former steelworks comprises filled and levelled ground and nothing remains of the previous landscape. The site has been comprehensively previously developed and is therefore generally featureless, although the trees, pond and amenity woodland to the west are worthy of retention".

Land use

11. There are two main issues raised in this section. The first is the inclusion (for the second time) of the masterplan for the site. This will be addressed under the urban design sub heading (below). The second issue is the reference to

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Agent: GVA Grimley: Owain Griffiths Ref: 120

the north/south link.

12. This features in Paragraph 4.2 (and paragraphs, 6.2, 6.6, 6.8, 6.9 and 6.11). The Council will know St. Modwen's position on the need for the north-south link. The need for this link is entirely driven by the proposed development of greenfield land to the north. It is not required for development to the south on the LRS to be either sustainable or acceptable in transport terms. Development on the LRS is sustainable and deliverable without this link.

13. With this one exception, St. Modwen can support most of the rest of this section. In particular, it fully endorses Paragraph 4.4 which acknowledges the potential to accommodate up to 4,000 new homes on the former steelworks site and states that the steelworks site will be considered as a priority for regeneration in preference to greenfield housing land in meeting future growth at the EEA. This follows the sequence set out in national planning policy guidance and is the correct approach to be adopted.

14. St. Modwen also supports Paragraph 4.7 which suggests that the first phase of housing in the south should start from the western edge of the site to ensure that the development relates well and is accessible to the district centre. This is a sensible approach.

15. With respect to the land use budget this is broadly correct, although it does slightly over-allocate residential land to the north* (using the densities promoted in paragraph 4.9) and underestimates the amount of open space to be provided to the south. The other matters raised in the section are being addressed specifically through the planning application and this is how they will be resolved.

* And it would probably be better to identify the upper limit of 1,100 dwellings in the table so that there is no doubt on this matter.

Urban and Landscape Design

16. St. Modwen has few fundamental concerns with much of what is written in the first part of this section (from pages 21 - 30). It would caution against the stipulation to use design codes rather than masterplans. The Council will be aware that St. Modwen has produced a masterplan for the whole of the LRS and a detailed sub area master plan for the first phase is now well advanced. This appears to be a far more practical and flexible approach for the creation of the new neighbourhood that is proposed on the LRS.

17. The masterplan that has been produced (and discussed with the Council) does have common characteristics with the plan that is included in the draft SPG (figures 8, 9 and 10). It follows the same land use mix and broadly the same organisation of uses. It has a similar access strategy. It has at its heart a mixture of dry and wet open space and a network of green and blue pedestrian and cycle links. A district centre is proposed, as are new schools and land for a new station and transport hub.

18. However, for reasons that have been very well rehearsed it will not look like the scheme presented in the draft SPG (and specifically on the image at the foot of page 30). Nor will it include features like those included on pages 35 and 36 and these pages should be deleted.

19. From discussions, it is clear that the Council understands this point. The Design Commission for Wales does too. It supports St. Modwen's masterplan and the draft SPG would therefore be significantly improved with the removal of the historic proposals shown on the various plans and the image on page 30. These can be replaced with the masterplan that St. Modwen has prepared (given the support it has generated) or if the Council is uncomfortable with this, a basic land use zoning plan could be imported. This would follow the approach taken to the north where no detailed layout is shown. It is also recommended that paragraphs 5.40, 5.41, 5.44 and 5.55 should be deleted.

20. These comments are not in any way intended to reduce the emphasis to be given to good design, but simply to make the draft SPG more current and more accurate.

Transport and Access

21. Discussions are of course ongoing (but coming to an end) on the transportation infrastructure that will be required to serve the Eastern Development Area and its constituent parts. Little needs to be added or adjusted here, although St. Modwen does take issue with the final sentence of paragraph 6.6. It has been confirmed to St. Modwen by bus providers that a circular loop will be created within the LRS without the need to extend the service to the north. This underscores the very limited importance of the north south link to the LRS.

Conserving Resources

22. Here, all St. Modwen recommends is that the requirement (in paragraph 7.5) to achieve "excellent" standards is relaxed. There is clearly the potential to do this as development progresses. In the short term, however, "very good" is a much more realistic target.

Utilities, Drainage, Flooding and Site Preparation

23. As drafted, paragraph 8.2 states that a strategy for the full remediation of the steelworks site will need to be agreed prior to approving any planning applications. St. Modwen has secured the agreement of the relevant

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Agent: GVA Grimley: Owain Griffiths Ref: 120

professionals at the Council and the Environment Agency to the strategy proposed to tackle ground conditions. St. Modwen has also, as the Council will be aware, carried out significant ground investigations (and some of these will by their nature be ongoing). This is more than sufficient to satisfy the requirement set out in 8.2.

24. Under Flood Risk (and specifically paragraph 8.5), the Council will be aware that a solution to flood risk has been agreed with the Environment Agency. This followed the submission of a full flood consequences assessment with the planning application (and this assessment was itself only submitted once it had been "franked" by the Agency). The Council will also be aware of the measures that are central to the implementation of the strategy - namely the creation of the three large lakes that St. Modwen proposes at the centre of the site, together with the network of watercourses throughout the site and the localised raising of land so that any flood waters that do occur in the very extreme events that were modelled, are channelled to the lakes for storage.

25. This flood risk network also informs the urban design and landscape framework which features on St. Modwen's masterplan, and explains why the proposals contained in the draft SPG will not be delivered (especially as the Council is clear that measures which do not meet flood risk requirements will not be allowed).

Community Involvement

26. The Council will know the comprehensive public consultation that has taken place on the LRS proposals. It will also be aware of the management regime that St. Modwen proposes to install for the open space and public facilities.

Implementation

27. The Council has St. Modwen's planning application for the LRS. The information submitted with the application covers all the points raised in paragraphs 10.3 - 10.7 of the draft SPG. No requests have been made for additional information.

28. Turning to legal agreements, St. Modwen notes that the list included is indicative only and on this basis the company raises no significant objections to it. The Council will again be aware of the approach St. Modwen is proposing and the progress made with drafting Heads of Terms. It will also be aware that provision for controlling remediation and reclamation will be made through the planning conditions rather than through a section 106 agreement. St Modwen can also see little point in the inclusion of the employment land heading.

29. In addition, the final two bullet points under residential development, could cause some confusion as drafted. It is assumed that their inclusion reflects earlier statements about the proper sequence to be adopted to development (and namely that the regeneration of previously developed land should precede the development of greenfield land). As drafted the two comments look paradoxical with the first apparently encouraging simultaneous development and the second introducing sequential tests or mechanisms. Any confusion would be removed if the third bullet point was removed and this is what is recommended.*

* St. Modwen also recommends that the sequence is referred to specifically in Appendix 1 (Planning Policy). Page 53 of the draft is virtually silent on the sequence which runs throughout PPW (and the more recent MIPPS). This is a staggering omission and should be corrected.

Appendices

30. The Council will be aware that St Modwen has little issue with what is being sought in the appendices (even if it is delivered in a slightly different format). However, the language used (particularly in appendix 2) is far too rigid. The use of the word "must" should be tempered for obvious practical reasons (and this is not the purpose of planning guidance in any event). One example is found at the foot of page 60. Here the draft states that developers must contribute £500 per dwelling to wider leisure requirements. This will clearly not be required if St. Modwen makes the full and substantial provision on site as requested elsewhere.

Desired Change:

Recommendation: The upfront location of the main diagram makes for ease of use and no change is proposed. Integration is considered to be important and so the reference remains.

Para 2.4 - The whole of the former steelworks site is allocated for regeneration in the UDP, and para 4.4 of the SPG refers to the preference for brownfield development. Para 2.4, however, applies to the whole Eastern Expansion Area and correctly refers to the future role of the Local Development Plan.

Paras 2.8 and 2.9 are thought to provide useful context.

Para 2.12 - The word "appropriate" would not add clarity without defining what appropriate means, whereas "substantial" is the word used in Unitary Development Plans Wales para 2.14, so no change is proposed.

The use of the term agricultural is considered to be appropriately descriptive, but it is agreed that para 3.17 should be amended.

The North South Link is considered important as the two parts of the Eastern Expansion Area together constitute a major sustainable extension to the city, providing for a wide range of housing and other development. Proper integration and permeability are therefore of major importance.

Table 1 - Land Use Budget - this is given as "indicative", so the fact that the current planning applications may give slightly different results is not of over-riding concern.

Design Codes - It is not agreed that these are not required. Co-ordination is needed across the whole site.

The illustrative material is presented as such, and clearly there can be a variety of interpretations of the approach,

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and no change is proposed.

Transport - Connectivity within and beyond the Eastern Expansion Area is considered to be important for sustainability, and no change is proposed.

Conserving Resources - Responding to climate change is becoming an increasingly important issue, with Government actively seeking higher standards, so no reduction in the target is proposed.

Residential Development - The final bullet point does not specify a sequential test, and together the last two bullets seek to avoid any situation where the greenfield development was carried out without any brownfield development, and where the greenfield development did not contribute to the wider development.

Appendices - The SPG benefits from clarity, and weaker forms of wording would reduce certainty. It will be for developers to provide convincing evidence as to why requirements should not be met, and clearly in some matters, such as play equipment meeting safety standards, there is no scope for variation.

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1467 Grant, Jacqui

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Issue: Eastern Expansion Area

Summary: Objects to greenfield development and selling of Hartridge School land.

RepresentationText: I am writing to answer your questionnaire about the east Newport Public Consultation.

In answer to your questions.

The only thing I like about the proposal is the use of the brown field site. I feel using a brown field site to build a village on is a fab idea as at present it is just land not being used for anything. I was brought up in Motherwell and have seen the transformation of the Ravenscraig site to residential and business. It is now a really nice village.

Well I'm a bit torn here. There is two things I don't like about the proposals.

Your selling some of Hartridge School land to pay for the new school. I really think this is a disgrace, what with the high levels of obesity in school children and fitness levels going down. Surely if you are building a bigger high school you require more land not less. This is something I feel very strongly about.

Why build more houses on the green field site than on the brown field site initially and why build on the green field site first?. I feel the balance is around the wrong way it should be 600 on the green field site (if at all) and 1100 on the brown field site. I do feel we should be building as much as possible on the brown field site it is such a shame to be building on such beautiful landscape.

Improvements would be.

Build only on the brown field site (or change the balance of houses to be built). Do not sell the school land.

My other comment is that I live in Cot Hill and I just feel the street is a piece of jigsaw that doesn't fit into the current plans it just looks out of place. I am also concerned about the noise and pollution levels as it is being built. I have two small children and I am worried about asthma etc from the dust particles.

I am also concerned about the environmental issues e.g. landfill, flooding, the effects on the wildlife.

Desired Change:

Recommendation: Support for the steelworks site development noted.
 Hartridge School is in need of replacement, and the site is considerably larger than required. The redevelopment therefore provides the opportunity to rationalise the site. Its Sports Academy will remain in the redeveloped school. The principle of some greenfield development was established through the Newport Unitary Development Plan. The steelworks site has the potential for about 4,000 dwellings, but development may be slower to start because of the necessary clean-up of the site from its former use.
 New access will be required at Cot Hill. Construction will be subject to normal environmental health regulations. Full flood consequence assessments will be required where necessary, to be approved by the Environment Agency. Ecological impacts will need to be addressed and new ecological areas will also be required.

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1468 Johnsey Estates (1990) Ltd:

Agent: RPS Group PLC: Derek Ball, Planning Director Ref: 3

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Issue: Eastern Expansion Area

Summary: Megabowl site should be in the District Centre.

RepresentationText: We act on behalf of Johnsey Estates (1990) Ltd, the owners of the former Megabowl on Newport Retail Park and write to make representations on the Draft Supplementary Planning Guidance on East Newport.

The Plan attached to the beginning of the document is unclear regarding the identified District Centre and proposed uses. There appears to be a red line surrounding both the red shaded area and also the 'Leisure' designation. If the leisure area was intended for inclusion in the District Centre then we consider that the plan should be made clearer.

However, if the intention was to exclude the 'Leisure' designation from the District Centre then we would object on our clients behalf, on the basis that the exclusion is illogical and not well-founded in terms of government guidance.

(a) The natural boundaries of the District Centre are Spytty Road to the west, Queensway to the south, Monks Ditch to the east and college playing fields to the north. The natural boundaries are illustrated on the attached plan.

(b) The 'natural' district centre is currently shown to contain two or possibly three designations: "District Centre" (red shading); Leisure (olive-green shading) and possibly residential (yellow shading along the perimeter of the green).

The "District Centre" shading to the west of the main spine road (Seven Stiles Avenue) contains Tesco, the main retail park, but also two car showrooms. The 'District Centre' area to the east of Seven Stiles Avenue contains Matalan, a vacant site and another car showroom. The area identified for 'Leisure' contains the multi screen cinema and Megabowl, but also a number of other shops and restaurants, including Blockbuster, Sally's Hairdressers, McDonalds, Pizza Hut, and Frankie and Benny's.

The identified 'Leisure' area is better related to the main retail area than the part of the designated district centre which lies to the east of Seven Stiles Avenue and behind the existing service yards.

The exclusion of the 'Leisure' area from the District Centre is therefore an artificial distinction and has no logic.

(c) Planning policy guidance on retailing is contained in Planning Policy Wales (as amended by MIPPS 02/2005) and TAN (Wales) 4 "Retailing and Town Centres" (Nov 1996). The latest guidance emphasises the close interrelationship between town and district centre uses and the desire for a diversity of uses within them. 'Leisure' use is one of the uses specifically identified as being best located in centres (Para 10.1.1, 10.2.4). In this case however the area in question also includes other town centre uses such as shops and restaurants and there would be no sound reason for excluding it.

(d) PPW at Para 10.2.9 advises that uses such as multi screen cinemas and bowling alleys are best located in town centres rather than district centres, but nevertheless they have been previously approved on this site. However, the Megabowl unit has been vacant for a considerable time following the operating company going into liquidation. It has now reverted to the freeholder, Johnsey Estates (1990) Ltd, which has been seeking to let the unit for over 12 months without success. Based on the marketing exercise and the observed changes in the market it is evident that there are no occupiers to take the space and the position is unlikely to change in the foreseeable future. The owners therefore propose to seek alternative uses for the building consistent with its location in a district centre.

We note that the improvement of linkages between the District Centre and the new residential areas to the east is a key objective of the SPG. Our clients are happy to co-operate with the provision of a pedestrian link as part of the changes proposed to the Megabowl site.

In conclusion, we would request that the boundary of the 'District Centre' be clarified or amended so that it covers the naturally defined boundaries and encompasses the area currently designated for leisure (and residential) use.

We would be pleased to discuss any of the above matters and look forward to hearing from you.

Desired Change:

Recommendation: The SPG has to be supplementary to the UDP and does not have the power to change the UDP. The Leisure designation of the Megabowl site in the UDP therefore has to remain. As a site adjacent to the District Centre, UDP Policy R7 applies, so retail development would not be precluded, though would probably have to be advertised as a departure.

The MIPPS and TAN provide useful guidance when considering new uses in town and district centres, but the existence of such uses does not necessarily define the extent of the centre.

The willingness to co-operate with regard to pedestrian links to the new residential development is welcomed.

(For information, the playing fields are for the steelworks sports and social club, and Monks Ditch crosses the former steelworks site much further to the east).