

APPLICATION DETAILS

No: 25/0556 **Ward:** Rogerstone North

Type: Full

Expiry Date: 3rd October 2025

Applicant: S Jenkins

Site: Land To South Of 9 Jessop Close Rogerstone Newport South Wales

Proposal: **REMOVAL OF CONCRETE FOUNDATION STRUCTURES AND CONSTRUCTION OF 2NO. DETACHED RESIDENTIAL DWELLINGS AND ASSOCIATED DETACHED GARAGES AND ACCESS**

Recommendation: **GRANTED WITH CONDITIONS SUBJECT TO S106 WITH DELEGATED POWERS AND DISCRETION TO REFUSE IN THE EVENT THAT THE AGREEMENT IS NOT SIGNED WITHIN THREE MONTHS OF THE COUNCIL'S RESOLUTION TO GRANT PLANNING PERMISSION**

1. INTRODUCTION

- 1.1 The application is presented to Members of the Planning Committee for consideration at the request of Councillor Reeks for reasons relating to poor access, environmental impact, out of date survey, parking and inadequate street lighting.
- 1.2 *Background Information*
- 1.2.1 The site features the remains of water treatment infrastructure in the form of large concrete foundations located centrally within the site, the use of the land for water treatment purposes ceased several years ago.
- 1.2.2 Previous planning applications seeking consent for 3 and 4 dwellings have been refused and dismissed at appeal due to the scale and layout of the dwellings.
- 1.2.3 On 31/03/2022 outline planning consent was granted for the construction of x2 dwellings under application ref: 15/0726. The position, scale and heights of the dwellings as proposed in this application are consistent with the details as approved by the outline consent. This permission was extended under S73 in May 2025 subject to conditions and a S106 agreement.
- 1.2.4 The reason for the submission of a full planning application is that 2no. detached garages are now also proposed; it was considered that this would fall outside the scope of the extant outline consent based on the technical requirements of the legislation for outline applications, however a reserved matters application has been received and is currently under consideration linked to the original outline consent.

2. RELEVANT SITE HISTORY

Application Number	Proposal Description	Decision
25/0096	S73 APPLICATION TO VARY STANDARD CONDITION 1 (RESERVED MATTERS) OF 15/0726 CONSTRUCTION OF 2NO. DETACHED RESIDENTIAL DWELLINGS AND ASSOCIATED ACCESS WORK	Granted subject to Section 106
25/0074	NMA APPLICATION TO VARY CONDITION 9 (DRAINAGE) OF 15/0726 CONSTRUCTION OF 2 NO. DETACHED RESIDENTIAL	Approved with conditions

	DWELLINGS AND ASSOCIATED ACCESS WORK	
25/0073	RESERVED MATTERS APPLICATION IN RESPECT OF ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE PURSUANT TO OUTLINE PERMISSION 15/0726 FOR THE CONSTRUCTION OF 2NO. DETACHED RESIDENTIAL DWELLINGS AND ASSOCIATED WORK AND PARTIAL DISCHARGE OF CONDITIONS 3 (MATERIALS), 4 (TREE PROTECTION DETAILS),5 (APPOINTED ARBORIST), 8 (EXTERNAL LIGHTING), 9 (DRAINAGE), 10 (BAT BOXES) AND 14 (BOUNDARY TREATMENTS)	Pending consideration
24/0938	PARTIAL DISCHARGE OF CONDITION 7 (SITE INVESTIGATION) OF 15/0726 CONSTRUCTION OF 2NO. DETACHED RESIDENTIAL DWELLINGS AND ASSOCIATED ACCESS WORK	Approved
23/0687	NON MATERIAL AMENDMENT APPLICATION TO VARY CONDITION 11 (ROOT PROTECTION FENCING) OF 15/0726 CONSTRUCTION OF 2 NO. DETACHED RESIDENTIAL DWELLINGS AND ASSOCIATED ACCESS WORK	Approved with conditions
15/0726	CONSTRUCTION OF 2NO. DETACHED RESIDENTIAL DWELLINGS AND ASSOCIATED ACCESS WORK	Granted with conditions
13/1290	PLANNING PERMISSION FOR 3NO. DETACHED RESIDENTIAL DWELLINGS AND ASSOCIATED ACCESS WORKS (OUTLINE)	Refused Appeal Dismissed
11/0064	CONSTRUCT 3NO. DETACHED DWELLINGS AND ASSOCIATED ACCESS / EXTERNAL WORKS (OUTLINE)	Refused Appeal Dismissed
06/1715	ERECTION OF 4NO. DWELLINGS AND GARAGES	Refused Appeal Dismissed

3. POLICY CONTEXT

3.1 Historic Environment (Wales) Act 2023

3.2 Future Wales: The Nation Plan 2040

Policy 1 – Where Wales will grow

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

Policy 9 – Resilient Ecological Networks and Green Infrastructure

Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

3.3 Planning Policy Wales (Ed.12)

3.4 Technical Advice Note 2: Planning and affordable housing

Technical Advice Note 5: Nature conservation and planning

Technical Advice Note 10: Tree preservation orders

Technical Advice Note 12: Design

Technical Advice Note 20: Planning and the Welsh language

3.5 **Newport Local Development Plan 2011 – 2026 (Adopted January 2015)**

- SP1 – Sustainability
- SP4 – Water Resources
- SP9 – Conservation of the Natural, Historic and Built Environment
- SP10 – House Building Requirement
- SP13 – Planning Obligations
- SP18 – Urban Regeneration
- GP2 – General Amenity
- GP3 – Service Infrastructure
- GP4 – Highways and Accessibility
- GP5 – Natural Environment adjacent a SINC canal.
- GP6 – Quality of Design
- GP7 – Environmental Protection and Public Health
- CE3 – Environmental Spaces and Corridors
- CE7 – Conservation Areas
- H2 – Housing Standards
- H4 - Affordable Housing
- H6 – Sub-division of Curtilages, Infill and Backland Development
- T4 – Parking
- T7 – Public Rights of Way and New Development
- W3 – Provision for Waste Management Facilities in Development

4. **CONSULTATIONS**

4.1 **Newport Access Group:** No response.

4.2 **Natural Resources Wales:** No objection.

European Protected Species – Bats. No ecological information has been submitted in support of this application. We note that there are records of bats in the vicinity of the site. We recommend you seek the advice of your Authority's internal ecological adviser about the requirement for further information to be submitted in support of the application, the need for bespoke surveys and the scope of further information, where required.

4.3 **Dwr Cymru/Welsh Water:** We can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site.

Turning to surface water, as of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Newport Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the **Conditions and Advisory Notes** listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Conditions

No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the

development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

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

Advisory Notes

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

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

In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

4.4 **Monmouthshire Brecon and Abergavenny Canals:** No response.

5. INTERNAL COUNCIL ADVICE

5.1 **Highways Officer:** No objection subject to conditions.

The proposed access is unorthodox and requires the relocation of a lamp column and rationalisation of highway boundary. All of which shall be at no expense to the highway authority and will require further licensing from highways which are totally independent of planning.

In terms of parking, the houses have adequate provision for their residents, but the road is not wide enough to allow any visitor parking and there are no suitable areas adjacent to it.

Cycle parking is indicated but does not appear appropriate. The garage size would allow cycle storage as well as one car, but racks are not required for single dwellings.

There is no detail of electric vehicle charging and this should be secured by way of condition.

Highways would seek a condition to secure garage retention as the provision is for car and cycle, and overall provision does not include any visitor parking and is therefore constrained.

In summary there are no objections subject to the following conditions.

Recommended Conditions:

Prior to first occupation of the premises the proposed access from the site to Jessop Close shall be constructed to a minimum width of 4.5 metres and this width shall be maintained for a minimum distance of 10 metres measured back from the nearside edge of the highway boundary of Jessop Close.

Reason: To enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users in the interests of road safety.

No dwelling within the development hereby approved shall be occupied or any first use commenced until that part of the internal highway infrastructure which provides access to the to the individual dwelling has been constructed to binder course surfacing level (or paved) and is available for use in accordance with the approved plans.

Reason: To ensure that satisfactory access is provided before the development becomes operative in the interests of road safety and the convenience of users of the highway.

No gates or other means of obstruction shall be placed across the vehicular access formed as part of this development.

Reason: To permit vehicles to pull clear of the carriageway when entering the site in the interests of road safety.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking or re-enacting that order), the garage shall not be converted to living accommodation or used for any purpose that would preclude the storage of a car except following the express grant of planning permission by the Council.

Reason: To ensure that appropriate provision for parking vehicles is made within the curtilage of the dwelling. In particular that adequate secondary off-street parking space is available so that vehicles do not over-hang the footway and that unimpeded visibility is maintained for all road users.

No works shall take place on the site at all until a method statement comprehensively detailing the phasing and logistics of construction has been submitted to and approved in writing by the Council as Local Planning Authority.

The method statement shall include, but not be limited to:

- Construction traffic routes, including provision for access to the site
- Entrance/exit from the site for visitors/contractors/deliveries
- Location of directional signage within the site
- Siting of temporary containers
- Parking for contractors, site operatives and visitors Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of demolition/construction
- Temporary roads/areas of hard standing
- Schedule for large vehicles delivering/exporting materials to and from site and details of manoeuvring arrangements
- Storage of materials and large/heavy vehicles/machinery on site
- Measures to control noise and dust
- Details of street sweeping/street cleansing/wheelwash facilities
- Details for the recycling/disposing of waste resulting from demolition and construction works Hours of working
- Phasing of works including start/finish dates

For the avoidance of doubt all construction vehicles shall load/unload within the confines of the site and not on the highway.

The development shall be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Council as Local Planning Authority.

Reason: To ensure that adequate on-site provision is made for construction traffic, including allowance for the safe circulation, manoeuvring, loading and unloading of vehicles, as well as parking, and to reduce impact on residential amenity and the general amenity of surrounding occupiers.

A scheme for the provision of electric vehicle charging points shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be provided prior to first occupation of each unit and retained as such thereafter.

Reason: To ensure that appropriate provision for current and future electric and electric/hybrid vehicles and encourage more sustainable means of transport.

Informative Notes:

It is an offence to carry out any works within the public highway without permission of the Highway Authority. The grant of planning permission will require the applicant to enter into a S278/111 Agreement with the Council as Highway Authority. The applicant is advised to contact the Council's Traffic Management, Road Safety & Adoptions Team to ascertain the details of such an agreement and the information to be provided. For the avoidance of doubt all works shall be carried out at nil cost to the Council.

Street name and/or property numbering is required as part of this development. Developers are required to contact Newport Council who are the street naming and property numbering authority to arrange for addresses to be attributed to the development. Developers or property owners cannot attribute property numbers or addresses themselves. In the first instance, the applicant is required to contact the Council's Traffic Management, Road Safety & Adoptions Team for further details. Please note there is a fee for this process which shall be advised upon application.

The applicant is reminded that it is an offence to allow material to be carried from the site and deposited on or cause damage to the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and will prosecute persistent offenders under Sections 131, 148 & 149 of the Highways Act 1980

- 5.2 **Principal Heritage Officer:** This application proposes demolition of existing, now-redundant pumping station tanks and development of two detached two-storey dwellings, upon a site located just to the north of the Monmouthshire & Brecon Canal Conservation Area. The proposed infill development will continue a line of already established two-storey properties, with the new constructed to the same approximate overall height.

The conservation area is, unsurprisingly, of linear form. In this location, the canal runs to the north with footpath to its southern bank, the whole passing through a cutting in the landscape. The swathe of TPO trees along the boundary form an important, positive contributor towards the conservation area, being key to its green and enclosed character, and acting as a buffer against surrounding modern development.

The above-mentioned trees also bound the southern edge of the proposed site, and I note that they are proposed for retention barring removal of 3 of U category. This will maintain the important tree buffer to the northern edge of the conservation area and provide considerable visual screening for the proposed infill development from the footpath set some distance away to the south.

As noted by the Ecology Officer, I would look to the Trees & Woodlands consultees to ensure that measures to protect trees are implemented. We also need to be certain that future residents are aware of this protection.

Provided suitable tree protection are in place as part of any consent, it is considered that there would be minimal impact upon the setting of the Monmouthshire & Brecon Canal Conservation Area.

- 5.3 **Ecology Officer:** I have considered the Site Assessment Survey Report V1 dated 16th April 2025, and in general I support the methodology and conclusions of that assessment.

A series of precautionary mitigation measures, and biodiversity enhancement measures, are set out in the Conclusions and Recommendations section starting on page 13 of the report. In general I support these proposals, and advise that their implementation is secured by planning condition.

I agree with the approach of assuming presence of reptiles on site, and of using a phased vegetation cut to allow them to disperse to retained habitats nearby. Measures to allow free movement of hedgehogs throughout the site are welcomed, as are those to avoid otters etc getting trapped in excavation on site. In relation to bat and bird boxes, these are readily available commercially, are inexpensive, and can be tailored to the style and colour of the

finish of the buildings. Features which are integrated into the buildings rather than attached to the outside are preferable as they are more secure in the long-term and less prone to interference by the public. Therefore the proposal to attach external bat/bird boxes should be amended to internal or integrated roost / nest boxes.

The trees along the southern boundary of the site are an important ecological feature, and while trimming of smaller branches during construction would not be a concern in biodiversity terms, I would look to the Trees & Woodlands consultees to ensure that measures to protect trees and their root protection areas are implemented. It is a concern that the houses and gardens of residents who move into these houses will be permanently shaded by the tall trees to the south. This may lead to attempts by those residents to manage or reduce these trees, which would compromise their biodiversity value. We need to be certain that these trees are protected, and that the future residents are aware of this.

- 5.4 **Landscape Officer:** The key landscape feature are the trees along the canal bank, proposals show retention and works outside tree root protection areas.

The site layout provides sufficient space for new planting but note that if a SAB application is required above ground SUDs features such as rain gardens are not identified on the site plan.

A fully detailed soft landscape plan should be conditioned and provided by a landscape professional and should include SUDs soft landscape.

The boundary with the canal is to remain as chain link with a gappy holly hedge under continuous tree cover, presumably there are views from the towpath into the gardens. Neighbouring canal boundary treatment under tree cover is not clear from the application.

The soft landscape plan should include photos and analysis of the views from the canal and include some narrative on differing summer and winter views. There may be a requirement for further rear garden planting to filter views.

Any planting or grass seeding cultivation within root protection areas should be advised by the Tree Officer and to note that this area will be in shade.

- 5.5 **Public Rights of Way Officer:** No objections.

- 5.6 **Tree Officer:** My objections remain, however, as you are recommending the application for approval please add the following conditions :-

A pre-commencement site meeting shall be held prior to any works commencing on site, to agree all approved processes with the appointed Arboricultural Consultant /NCC Tree Officer and construction personnel. To formally agree the methods of work, material storage, parking and tree protection measures prior to commencement of the development and the associated clearance work.

At the time of the meeting, points of contact and lines of communication will be established prior to commencement of the works on site.

Details of the meeting and project contacts should be forwarded to the Tree Officer at Newport City Council.

Tree Protection Plan

CO08

() No development, to include demolition, shall commence until the accurate Tree Protection Plan (in accordance with BS 5837:2012) has been implemented by of means the security fence as shown in the Tree Protection Plan submitted as submitted by “ **Treescene**” **Arboricultural Method Statement and Tree Protection Plan 7 July 2025**

The development shall be carried out in accordance with the approved Tree Protection Plan “ **Treescene**” **Arboricultural Method Statement and Tree Protection Plan 7 July 2025**

Reason: To protect important landscape features within the site.

Root Protection Barrier

CO09

() No operations of any description (this includes all forms of development, tree felling, tree pruning, temporary access construction, soil moving, temporary access construction and operations involving the use of motorised vehicles or construction machinery), shall commence on site in connection with the development until the Root Protection Barrier fencing has been installed in

in accordance with “ Treescene” Arboricultural Method Statement and Tree Protection Plan 7 July 2025

No excavation for services, storage of materials or machinery, parking of vehicles, deposits or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within the Root Protection Area.

Erect all weather notices on Heras fencing, 1 per 10 panels, stating ‘ CONSTRUCTION EXCUSION ZONE NO ACCESS’

The fencing shall be retained for the full duration of the development, and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Reason: To protect important landscape features within the site.

Arboriculturalist

CO11

() No development, to include demolition, shall commence until an Arboriculturalist has been appointed, as first agreed in writing by the Local Planning Authority, to oversee the project (to perform a Watching Brief) for the duration of the development and who shall be responsible for –

- (a) Pre construction site meeting
- (b) Signing off the tree root protection barrier

(B) Ensuring compliance with the “ Treescene” Arboricultural Method Statement and Tree Protection Plan 7 July 2025

c)Oversee working within any Root Protection Area including landscaping ;

d)Reporting to the Local Planning Authority;

e)The Arboricultural Consultant will provide site progress reports to the Council's Tree Officer at intervals to be agreed by the Councils Tree Officer.

Reason: To protect important landscape features within the site.

5.7 **Drainage Manager:** No response.

5.8 **Planning Contributions Manager:** Planning contributions required.

5.9 **Environmental Health Officer:** No response.

5.10 **Senior Scientific Officer:** No response.

5.11 **SAB Officer:** No response.

5.12 **Waste Manager:** We would anticipate each one of the properties receive a single 120l bin for kerbside collection with recycling bags, boxes for kerbside collection also with one council by each one of the properties.

From April 1st 2020, developers or owners of all new residential units will be required to purchase bin provision for each unit serviced to meet the Council's specification. 120L, 180L, 240L and 360L wheeled bins must be purchased/obtained from Newport City Council. 660L and 1100L bins can be purchased elsewhere but it is strongly recommended to speak to NCC Waste Management Refuse Management beforehand to ensure the bins fit the Refuse Department collection vehicles safely. Failure to purchase correct bin(s) will result in collection being suspended with the Council reserving the right to refuse collection until suitable bin specifications are met.

6. REPRESENTATIONS

6.1 NEIGHBOURS:

All properties with a common boundary with the application site were consulted (4no. properties) and a site notice was erected at the site entrance.

Total of 7no. objections received (4no. from the same property) (summarised):

- Materials out of context with other properties
- No details of working hours, length of works, noise levels, dust suppression etc
- Disruption to those that work from home
- Parking
- Increase in traffic
- Impact on privacy of neighbouring properties
- Garages overbearing
- Streetlight in current position needs to remain
- Detrimental impact on trees and surrounding area
- The utility company should of already removed the concrete structures
- The land should be offered to existing residents
- Rogerstone is already overdeveloped
- Existing concrete structures serve as a critical stabilising function – concern regarding stability of neighbouring dwellings
- Altering water drainage and groundwater flow, increasing the risk of damp and flooding.
- Damage to neighbouring properties
- Large TPO trees on the banks of the canal
- Restricted access
- Bridge on Cwm Lane would not withstand heavy vehicles
- If approved, the proposal would contradict Newport Councils wellbeing objective 2.
- Site survey needs to be revised as it appears the same as the 2011 report.
- No environmental impact assessment or method statement on how the concrete currently on the site is to be removed – consequential impacts of noise, dust and structural integrity of surrounding houses.

6.2 COUNCILLORS:

6.2.1 Councillor Reeks: Poor access, environmental impact, out of date survey, parking, inadequate street lighting.

6.3 ROGERSTONE COMMUNITY COUNCIL: No response.

7. ASSESSMENT

7.1 The main issues with the scheme are the principle of the development, impact upon highway safety, conservation area, trees, ecology and residential amenity which are taken in turn below. Other material considerations shall follow.

7.2 Principle of Development

7.2.1 The application site comprises of brownfield land as defined by Planning Policy Wales 12 and is located within a settlement boundary where there is a presumption in favour of development and the efficient use of land is encouraged therefore the proposed development accords with the general principles of sustainable development in accordance with Policy SP1, the principle of development is considered to be acceptable. It must also be recognised that planning permission for 2 dwellings has been approved under the current Adopted Local Development Plan and that permission has recently been renewed.

7.3 Highways and Parking

7.3.1 The proposed access would require the relocation of a streetlight; the consenting process for the removal and repositioning of a streetlight falls outside of the Town and Country Planning Act 1990 controls, however details of the new position of the streetlight can be secured by way of condition and would need to be approved and completed prior to the first occupation of Plot 2.

- 7.3.2 It is noted that local residents have expressed concern regarding the new position of the streetlight and comment on security fears. It is considered that the repositioning of the streetlight in a location as close as possible to the existing would suitably address the concerns of residents. As per the above paragraph, the new location details can be secured by way of condition.
- 7.3.3 The site is to be accessed from the adopted highway of Jessop Close which the existing access into the site is currently formed. During the course of the overall planning history for the site an area of the front garden of 9 Jessop Close has been obtained by the applicant to allow for the access width to be increased to 4.5m. This increase in width allows for vehicles to pass and repass upon entering and exiting the site and provide suitable visibility splays. The access along the northern portion of the site narrows to 3.6m in width to form the shared driveway and turning head. The Highways Officer has raised no objection to the proposed access but recommends conditions to ensure the safe and efficient use of the highway network is maintained.
- 7.3.4 Turning to off street parking, the site is located within Parking Zone 4 and requires 3no. off street parking spaces per dwelling. No visitor parking is required as the proposed development does not reach the threshold for the provision of additional visitor parking. The proposal provides a total of 3no. spaces per dwelling arranged over the driveways and garages. The off street parking provision is therefore acceptable.
- 7.3.5 The proposed cycle rack within each garage would provide a suitable amount and type of bicycle storage and therefore acceptable also.
- 7.3.6 The recommended condition for a scheme of electric vehicle charging is not included as there is no requirement within Future Wales – The National Plan 2040 for a residential scheme. Therefore, to attach a condition securing this would not meet the six tests for the attachment of conditions as it is not reasonable or necessary and was not included on the previous consents.
- 7.3.6 Subject to the attachment of conditions, it is considered that the scheme is acceptable in terms of impact on the highway and parking.
- 7.4 **Impact on the Conservation Area and Trees**
- 7.4.1 The application site is located adjacent to the Monmouth & Brecon Canal Conservation Area; as shown on the site location plan, the application site does not extend into the designated conservation area. However, due to the sites proximity to the conservation area, due regard shall be given to the preservation and/or enhancement of this heritage asset as per the Historic Environment (Wales) Act 2023.
- 7.4.2 The Principal Heritage Officer notes the importance of the trees protected by virtue of the conservation area status and their positive contribution toward the wider setting of the area. The arboricultural method statement proposes the removal of 3no. U category trees; no objection has been received from the Principal Heritage Officer, Tree Officer or Ecology Officer regarding the proposed felling. The protection and retention of the remaining trees is considered to preserve the special character of the conservation area thereby achieving the duty as set out in Section 160 of the Historic Environment (Wales) Act 2013.
- 7.4.3 In line with the aims of Planning Policy Wales (Ed.12), if trees are to be felled, a 3:1 replacement planting scheme is required. This can be secured by way of a soft landscaping condition.
- 7.4.4 The Tree Officer has expressed concern regarding the protection of trees along the southern boundary and seeks to ensure their long-term retention given their positive contribution toward the overall appearance of the conservation area.
- 7.4.5 As set out within section 1.2 of this report, the site benefits from an existing extant consent for 2no. detached dwellings of the same position and orientation as that proposed. The separation distances to the southern boundary trees shall remain as per the previous consent. The proposed detached garages are also located outside of any root protection zones. The application is supported by an up-to-date tree survey by a suitably qualified

Arboriculturalist which adheres to the relevant British Standards. To further ensure that the proposal would not affect any potential tree roots located outside of the root protection area, a trail pit was dug in the location at the southern corner of Plot 2. The findings confirmed that no tree roots were present and that the ground in this location was primarily made up of compacted stone infill; this type of material does not support vigorous tree root growth. In order to ensure that no future development on site has an adverse impact upon the trees it is considered necessary to restrict permitted development rights for each plot.

7.4.6 Therefore, based upon the up-to-date tree survey works undertaken it is considered that the proposed development would not have an unacceptable adverse impact upon the protected trees, subject to the installation of tree protection measures as set out within the arboricultural method statement and as requested by the Tree Officer. The proposal accords with Policy SP9.

7.4.7 It is considered that the relationship and extent of separation between the proposed dwellings and trees is sufficient as to avoid any unacceptable future relationship that would cause conflict between the residential use and the trees.

7.4.8 This site benefits from an extant planning consent for 2 dwellings in the same position and same scale as proposed in this application, this presents a legitimate fallback position which has been given significant weight in the assessment of this application.

7.5 **Impact on Biodiversity**

7.5.1 The Monmouthshire & Brecon Canal is a Site of Importance for Nature Conservation (SINC) which is a locally important site for nature conservation. The consultation response from Natural Resources Wales has deferred to the Councils Ecologist for specific site comments.

7.5.2 The Councils Ecologist confirms that the application is supported by an up-to-date ecology assessment of the site and concurs with the conclusions of that assessment. The survey found that a range of protected species have been recorded within 500m of the application site. Bats were noted using the tree line as a commuting corridor and that the proposed development would not affect bat movements through the corridor. The Councils Ecologist agrees with the precautionary approach assuming the presence of reptiles and phasing ground preparations accordingly to ensure the reptiles have the opportunity to move on to the retained habitats nearby.

7.5.3 Furthermore, measures are to be incorporated into the site to allow for the free movement of hedgehogs and avoidance methods to ensure otters do not become trapped during construction. Bird and bat enhancements are proposed in the form of bird and bat boxes which are recommended to be integral, which has been agreed by the applicant.

7.5.4 The Councils Ecologist further emphasises the importance of the trees along the southern boundary and defers to the Tree Officer to ensure tree and root protection measures are implemented. The comments relating to the future occupiers awareness of the protected status of the trees are noted and an informative note is added to the recommendation to ensure this status is clear to any future occupant. Any works proposed to the trees in the future are controlled through the Conservation Area consenting process whereby the Tree Officer is a statutory consultee.

7.5.5 The Ecologists comments regarding overshadowing and amenity of residents are noted and are addressed within the *Amenity* section of the report and shall not be repeated here.

7.5.6 It is considered that the proposed ecological survey has taken account of the Planning Policy Wales (Ed.12) requirements for a Green Infrastructure Statement and following the step-wise approach. Subject to the attachment of conditions, the proposal accords with national and local planning policies.

7.6 **Impact on Amenity**

7.6.1 The siting of the proposed dwellings replicates that of the extant consent 15/0726 with regard to proximity to neighbouring properties of 9 Jessop Close and 10 Marlow Close. The dwellings would be set off the common boundary with the aforementioned properties by 4.35m and 1.5m respectively. The matter of overall height was previously determined under

the extant consent also which allows for the dwellings to be up to 10.5metres in height. It is considered that the relationship of the proposed dwellings with the existing would not give rise to any unacceptable adverse impacts upon the living conditions of neighbouring occupiers in respect of overlooking or overbearing impact.

- 7.6.2 As the current scheme would not differ from the previously approved siting or exceed the previous scaled parameters for the overall height, the impact upon neighbouring properties with regard to overshadowing and levels of daylight and sunlight was previously considered under application 15/0726 and found to be acceptable.
- 7.6.3 Concern has been raised regarding potential overshadowing of 1 Jessop Road from the garage serving Plot 1. It is considered that the amount of overshadowing created by the proposed garage would not be dissimilar to the amount of overshadowing provided by the existing closed boarded fence boundary treatment along the common boundary. As such, the proposed garage serving Plot 1 is considered to not result in an unacceptable level of harm with regard to overshadowing, daylight or sunlight entering 1 Jessop Road.
- 7.6.4 Turning to the amenity of future occupants of the proposed dwellings, the trees located to the south of the site would provide shading to some of the private amenity space serving each unit. However, each plot is also of a generous size thereby providing additional private amenity space which would not be overshadowed by existing trees. As such, each plot would have useable and enjoyable areas of private amenity space.
- 7.6.5 The dwellings themselves are orientated as such to benefit from light entering the units from the east in the morning, and from the west in the evening allowing daylight and sunlight to enter each unit and each habitable room during a 24 hour period.
- 7.6.6 Plot 1 features two first floor side elevation windows serving an ensuite and bathroom; 9 Jessop Close features a high level window centrally located on the gable end. When taking into account the separation distances between the side elevations of 9 Jessop Close and Plot 1 and that the windows serving the proposed ensuite and bathroom are to be obscured glazed, it is considered that this would not lead to overlooking or an adverse impact on privacy of any future occupant of either property.
- 7.6.7 Plot 2 also features two first floor side elevation windows serving an ensuite and bathroom; there are no windows present in the adjacent first floor side elevation of 10 Marlow Close. Therefore, the presence of first floor side elevation windows on Plot 2 will not lead to overlooking or a reduction in privacy.
- 7.6.8 It is considered appropriate that a condition is attached requiring the obscure glazing to have a minimum obscurity level of 5 and to be retained in for the lifetime of the development to ensure privacy is maintained going forward.
- 7.6.9 The separation distance between the principal elevation of Plot 1 and the side elevation of 1 Jessop Road was previously considered under 15/0726 and found to be acceptable. As previously stated, the current layout reflects that as previously approved and as such outlooks gained are considered to be acceptable.
- 7.6.10 The proposed dwellings are located behind existing dwellings resulting in glimpsed views of the development site. The design proposed does not seek to fully replicate the existing design of neighbouring dwellings. Given that the site is not visually prominent due to intervening existing developments it is considered that the visual amenity of the area would not be harmed to a sufficient degree to form a reason for refusal. Therefore, the proposal accords with Policy GP2.
- 7.6.11 The dwellings and detached garages feature solar panels to the southern roof slopes; given their position relative to any other neighbouring residential properties, it is considered that the solar panels would not raise concern regarding glint or glare.

7.7 **Water Resources**

- 7.7.1 The application site exceeds 100sqm and is therefore liable for sustainable drainage measures to be incorporated into the wider site design. This aspect is controlled through the

Flood and Water Management Act 2010 therefore separate approval shall be required through that process. It is considered that the SUDS consenting regime achieves the aims of Policy SP4 which seeks to ensure that the site has suitable surface water drainage.

7.7.2 The consultee response from Dwr Cymru/Welsh Water sets out that there is sufficient capacity in the existing sewerage system to receive domestic foul flows but request a further detailed drawing to show the position of drainage runs. Subject to condition the proposal is considered to accord with Policy SP4.

7.8 **House Building Requirement**

7.8.1 The infill dwelling scheme would positively contribute toward the overall house building requirements as set out within Policy SP10 helping to achieve the strategic aims for the plan period.

7.9 **Urban Regeneration**

7.9.1 The decommissioned Welsh Water site has been vacant since at least 2001 according to satellite imagery with the concrete foundations the only remaining structure. The provision of residential use and the reuse of the land is considered to positively contribute toward the regeneration of the area in accordance with Policy SP18.

7.10 **Impact on Service Infrastructure**

7.10.1 The consultation response from Welsh Water confirms that sufficient capacity for foul water flows exists in the network to serve the 2no. proposed dwellings. No concerns have been raised regarding a connection for potable water, and it is considered that an electricity connection can be supplied.

7.10.2 The provision of gigabit capable broadband is now controlled via the Building Regulations 2010, as such there is no requirement to attach a condition for submission of details. It is considered the proposal accords with Policy GP3.

7.11 **Impact on Character and Appearance**

7.11.1 The siting of the proposed dwellings seek to align themselves largely to the building lines of neighbouring properties to aid integration into the existing pattern of development. The area is characterised by two storey detached dwellings and the proposal replicates this.

7.11.2 The materials to be used on the external elevations for each plot are the same which provides an overall coherent appearance. Furthermore, the use of red/brown brick would be integrated with the predominant character of the wider residential area.

7.11.3 The fenestration placement seeks to have cill and header heights to match across the elevation, and windows are mostly vertically aligned on the elevations thereby providing a vertical and horizontal emphasis.

7.11.4 The feature gables, porches and general form of the building provide breaks in the overall scale and massing creating visual interest. It is considered that the proposal accords with Policy GP6.

7.12 **Environmental Spaces and Corridors**

7.12.1 The Monmouthshire and Brecon Canal is a recognised environmental corridor and lies outside of the site boundary to the south. No development or works are proposed within the environmental corridor except for works to fell 3no. U category trees as per the tree management plan. The trees are to be replaced at a ratio of 3:1 as per Planning Policy Wales (Ed.12) requirements. It is considered that the felling and replanting would not harm the environmental corridor and its special features shall be retained in accordance with Policy CE3.

7.13 **Subdivision of Curtilages, Infill and Backland Development**

7.13.1 The scheme would represent as an infill development within an existing residential area comprised mainly of two storey detached dwellings of a mid-20th century design. The scheme now proposed has taken onboard previous concerns regarding density and now seeks to erect 2no. detached dwellings on this approximate 1600sqm site. Given the site constraints

regarding the trees along the southern boundary, it is considered that the size of the plots would not represent as an overdevelopment of the site in accordance with Policy H6.

7.14 **Impact on Public Rights of Way**

7.14.1 The beneficial use of the canal path to the south of the site would not be affected by the proposed scheme during construction or post completion. The Public Rights of Way Officer has raised no objection. Given the above, the proposal would not harm or alter any existing public rights of way.

7.15 **Waste and Recycling**

7.15.1 The proposed site plan includes an area adjacent the adopted highway for the presentation and collection of waste and recycling to be used by both dwellings. It is considered that each plot has a large enough footprint to provide waste and recycling storage for each dwelling; these details are to be secured by way of condition firstly to ensure the site is served by adequate waste and recycling storage, and secondly to ensure that waste and recycling are not permanently stored adjacent to the adopted highway outside of refuse collection days in the interests of character and appearance. Subject to condition, the proposal accords with Policy W3.

7.16 **Section 106 Planning Obligation matters**

Summary

In accordance with Policy SP13 of the adopted Newport Local Development Plan 2011-2026 and the adopted Planning Obligations Supplementary Planning Guidance, development will be required to help deliver more sustainable communities by providing, or making contributions to, local and regional infrastructure in proportion to its scale and the sustainability of the location. In this case, section 106 planning obligations are required to mitigate the impact of the development in accordance with the table below.

Service Area that requires planning obligation	Purpose of planning obligation	Planning obligation initially sought by Planning Authority	Summary Heads of Terms agreed by applicant(s)	Viability Issues?
<i>Regeneration, Investment and Housing</i>	To contribute toward off site affordable housing.	A commuted sum of £4,128 plus administration and legal fees.	Agreed.	No.

Heads of Terms Agreed by Applicant

Section 106 Planning Obligations – Draft ‘Head’s of Terms’ **(Without prejudice & subject to contract)**

1. Introduction

Based upon a development of 2 x 4 bed houses, the following S106 planning obligations are required to mitigate the impact of the development.

2. Affordable Housing

Committed sum payments for affordable housing will normally be sought on developments of 1 to 2 dwellings anywhere in Newport. The site lies within the Housing Target Area of Newport West. Newport West requires the delivery of 30% affordable housing on new development. The equivalent commuted sum generated is £4,128

This sum is to be index linked to the RPI and paid prior to occupation

3. Fees

Administration Fee

In accordance with the Planning Obligations SPG (2020), a £200 administration fee is charged for monitoring the S106 agreement. This is to be paid upon signing of the legal agreement

Legal Fees

Planning Obligations can be contained in Unilateral Undertakings or s.106 Agreements. Unilateral Undertakings are usually drafted by the developer's solicitors, whereas s.106 Agreements are usually drafted by the Council's in-house solicitors (but there is no general objection to developers arranging for their own solicitors to draft the s.106 Agreement with prior agreement). Either way the developers will be responsible for the Council's legal costs incurred in relation to the process of drafting, approving and completing the s.106 Agreement and Unilateral Undertakings, including costs of title investigation which is necessary to ensure the correct parties enter into the Deed. There is a minimum contribution to legal costs of £700, although more time-consuming and complex documents would require an increased contribution to legal costs.

Please Note:

Planning Obligations can be contained in Unilateral Undertakings or Agreements. Unilateral Undertakings are usually drafted by the developer's solicitors, whereas Agreements are usually drafted by the Council's in house solicitors (but there is no general objection to developers arranging for their own solicitors to draft the Agreement if preferred). Either way the developers will be responsible for the Council's legal costs incurred in relation to the process of drafting, approving and completing any Deed of Obligation, including costs of title investigation which is necessary to ensure the correct parties enter into the Deed.

You are required to agree to these Heads of Terms in writing. In doing so you also agree to an extension of time for the determination of your proposal in accordance with the Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits)(Wales) Regulations 2015 and the Town and Country Planning (Development Management Procedure)(Wales) Order 2012. This will extend the statutory period for determination of your application by 16 weeks from the date the Local Planning Authority resolve to grant your planning permission (i.e. the Planning Committee date or the delegated Agenda date) subject to a legal agreement. This extension of time is required to enable completion of the section 106 Agreement (although the Local Planning Authority will endeavour to determine your application as soon as possible prior to this date).

Once your written agreement to the Heads of Terms for section 106 has been received by the Authority and a resolution made on the basis of such agreement, the Local Planning Authority will NOT enter into any negotiations that seek to alter the Heads of Terms in terms of discounting agreed figures due to, for example, viability reasons before the final Notice of Decision is issued. It is important that you check the Heads of Terms you receive thoroughly and if you have any questions regarding the figures included or the justification for them, you must raise these and satisfy yourself that the request is reasonable, relevant and necessary, prior to providing your written agreement to the Terms.

Any negotiations must take place before Heads of Terms are agreed by you and if you seek to discuss or re-negotiate section 106 Heads of Terms having agreed them in writing and having received a resolution (but not a decision notice), your application must be withdrawn to enable re-negotiation to take place. Failure to sign a section 106 within 3 months of any resolution being made may lead to your application being refused. Alternatively, you may proceed to complete the section 106, receive a Notice of Decision and then make a new submission to the Authority that will enable altered terms to be negotiated. Please be advised that any such re-submission will likely attract a new planning application fee.

- 7.17.1 The third party comments received have set out a number of issues which are addressed directly below.
- 7.17.2 The materials proposed for the external elevations are red/brown brick with grey tile and black ash fenestration. The area is characterised by red multi brick with brown tile accents, concrete tile and white fenestration generally. The difference between the materials proposed and that of the existing housing stock are considered to not vary greatly in order to result in an unacceptable level of harm on the wider character and appearance of the area.
- 7.17.3 Concerns relating to working hours, noise level and dust suppression measures are controlled through a Construction Environment Management Plan which is to be secured via condition. The length of works cannot be controlled by way of condition or submission of additional details as this falls outside the scope of the Town and Country Planning Act 1990.
- 7.17.4 The working hours shall be limited to normal daytime working hours and limited on the weekends. The concern regarding disruption to those working from home is noted, however it is considered that suitable controls over working hours would ensure amenity is not impacted outside of normal working hours.
- 7.17.5 The proposed layout includes off street parking which accords with the requirements as set out within the Parking Standards Supplement Planning Guidance and is therefore considered acceptable. Also, the increase in traffic entering and exiting the site post completion of the development is considered to not have a significant impact on the safe and efficient use of the highway network. The access width is to be increased to accommodate vehicles to pass and repass upon entry to the site which is considered to address any access concerns. Heavy vehicles making deliveries to the site would be controlled by any existing weight restrictions that are in place; also the Construction Environment Management Plan could also include details of the type of vehicle to serve the site should this be deemed necessary.
- 7.17.6 It is considered that the separation distances of the proposed dwellings to neighbouring existing dwellings ensures that the privacy of neighbouring properties would not be adversely impacted.
- 7.17.7 The scale and siting of the proposed garages are considered to not result in overbearing of any neighbouring properties, with particular reference to the Plot 1 garage adjacent 1 Jessop Road.
- 7.17.8 The concern regarding the repositioning of the streetlight is noted and it is considered that this should be repositioned to a site which as much as practically possible relates to the existing position. Following the retention and repositioning of the streetlight it is considered that this would address any fears of security.
- 7.17.9 Local residents have expressed concern regarding the protection of trees to ensure their long term retention and health. The scheme is supported by up to date tree information and no development is located within the root protection areas. Furthermore, a condition is attached limiting the permitted development rights to ensure that any applicable development could not take place without full consideration by the Local Planning Authority. It is considered that with these measures in place, the trees would be suitably protected for the long term.
- 7.17.10 Comments relating to the utility company's responsibility to have previously removed the concrete structures is not a matter for the Local Planning Authority's consideration. Also, the comments relating to the land '*should be offered to neighbouring residents*' is also not a matter for the Local Planning Authority.
- 7.17.11 The comments relating to overdevelopment relate more widely to Rogerstone in general rather than this specific site. In terms of the specific site however, the provision of 2no. dwellings would not represent as an overdevelopment of the site.
- 7.17.12 There is no evidence to suggest the existing concrete structures provide structural stability to any neighbouring residential properties.

- 7.17.13 Concerns regarding surface water drainage are noted; the scheme is supported by a surface water and foul drainage plan showing service runs linking to existing infrastructure and the site would be liable for separate approval through the Flood and Water Management Act 2010 for methods of sustainable drainage. It is considered that suitable controls are in place to ensure the site is adequately drained.
- 7.17.14 Concerns regarding damage to neighbouring properties is noted, however should any damage occur the approved contractor should have their own publicity liability insurance to cover any such issues.
- 7.17.15 The proposed scheme is considered to accord with the Corporate Plan 2022-2027 Well-being Objection 2- as the scheme would represent as a sustainable form of development being located within an existing settlement boundary served by a range of amenities, the onsite and neighbouring biodiversity has been considered, protected and enhancement through survey work and enhancement measures.
- 7.17.16 The proposal has been screened through the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 which found that the development did not require an Environmental Statement.

8. OTHER CONSIDERATIONS

8.1 *Crime and Disorder Act 1998*

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

8.2 *Equality Act 2010*

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

8.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

A Socio-economic Duty is also set out in the Equality Act 2010 which includes a requirement, when making strategic decisions, to pay due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage.

8.4 The above duties have been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision. There would also be no negative effects which would impact on inequalities of outcome which arise as a result of socio-economic disadvantage.

8.6 *Planning (Wales) Act 2015 (Welsh language)*

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

8.7 *Newport's Well-Being Plan 2018-23*

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

9. CONCLUSION

9.1 The proposed development accords with the relevant national and local policies and is hereby recommended for approval subject to the signing of a Section 106 agreement and the conditions and notes as contained below.

10. RECOMMENDATION

GRANTED WITH CONDITIONS SUBJECT TO S106 WITH DELEGATED POWERS AND DISCRETION TO REFUSE IN THE EVENT THAT THE AGREEMENT IS NOT SIGNED WITHIN THREE MONTHS OF THE COUNCIL'S RESOLUTION TO GRANT PLANNING PERMISSION

01 The development shall be implemented in accordance with the following plans and documents:

- Site Location Plan (Drawing ref: 01)
- Tree Constraints Plan (Drawing ref: 04/2025)
- Site Location Plan – Application Site Edged Red (Drawing ref: PL-JP-01)
- Engineering Layout (Drawing ref: 100 Rev B)
- Tree Survey by Treescene Arboricultural Consultants (4th April 2025)
- Tree Protection Plan (Drawing ref: 07/2025)
- Detached Double Garage Plan & Elevations (Drawing ref: PL-JP-10)
- Closed Boarded Gate Details (Drawing ref: PL-JP-09)
- Close Boarded Screen Fence Details (Drawing ref: PL-JP-08)
- Plot 2 Elevations (Drawing ref: PL-JP-07)
- Plot 2 Floor Plans (Drawing ref: PL-JP-06)
- Plot 1 Elevations (Drawing ref: PL-JP-05)
- Plot 1 Floor Plans (Drawing ref: PL-JP-04)
- Site Development Cross Sections (Drawing ref: PL-JP-03)
- Site Development Layout Revised Scheme (Drawing ref: PL-JP-02)
- Site Assessment Survey by Ecological Services Ltd (Dated 16th April 2025)
- Arboricultural Method Statement and Tree Protection Plan by Treescene Arboricultural Consultants (Dated 7th July 2025)

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based

02 No operations of any description (this includes all forms of development, demolition, tree felling, tree pruning, temporary access construction, soil moving, temporary access construction and operations involving the use of motorised vehicles or construction machinery), shall commence on site in connection with the development until the Root Protection Barrier fencing has been installed in accordance with the Arboricultural Method Statement and Tree Protection Plan 7 July 2025.

REASON: In the interests of ensuring long term protection of trees in accordance with Policy GP5 and SP9 of the Newport Local Development Plan 2011-2026 (Adopted January 2015).

03 No excavation for services, storage of materials or machinery, parking of vehicles, deposits or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within the Root Protection Area. Erect all weather notices on Heras fencing, 1 per 10 panels, stating 'CONSTRUCTION EXCLUSION ZONE - NO ACCESS'

The fencing shall be retained for the full duration of the development and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

REASON: In the interests of ensuring long term protection of trees in accordance with Policy GP5 and SP9 of the Newport Local Development Plan 2011-2026 (Adopted January 2015).

04 No development shall commence until details of the appointed Arboriculturalist have been submitted in writing to the Local Planning Authority to oversee the project and perform a Watching Brief for the duration of the development and shall be responsible for:

- a) Pre-construction site meeting
- b) Signing off the tree root protection barrier
- c) Ensuring compliance with the Arboricultural Method Statement and Tree Protection Plan 7th July 2025
- d) Oversee working within any Root Protection Area including landscaping
- e) Reporting to the Local Planning Authority

REASON: In the interests of ensuring long term protection of trees in accordance with Policy GP5 and SP9 of the Newport Local Development Plan 2011-2026 (Adopted January 2015).

05 The development shall be carried out in strict accordance with the Conclusions and Recommendations as set out within the Site Assessment Survey Report V1 dated 16th April 2025. Notwithstanding the details regarding bird and bat boxes, these shall be on an integrated type only and installed prior to the first use of both plots and retained for the duration of the use.

REASON: To ensure the protection of habitats and protected species in accordance with Planning Policy Wales (Ed.12) and Policy GP5 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

06 Prior to the commencement of development above slab level, a scheme of soft landscaping to include replacement tree planting at a ratio of 3:1 (indicating the number, species, heights on planting and positions of all trees and shrubs).shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the completion of that development. Thereafter, the trees and shrubs shall be maintained for a period of 5 years from the date of planting in accordance with an agreed management schedule. Any trees or shrubs which die or are damaged shall be replaced and maintained until satisfactorily established. For the purposes of this condition, a full planting season shall mean the period from October to April.

REASON: To provide suitable mitigation and enhancement as required by Planning Policy Wales (Ed.12).

07 Prior to first occupation of the dwellings the proposed access from the site to Jessop Close shall be constructed to a minimum width of 4.5 metres and this width shall be maintained for a minimum distance of 10 metres measured back from the nearside edge of the highway boundary of Jessop Close as indicated on drawing Site Development Layout (Drawing ref: PL-JP-02) between points X-H. The access shall be retained as such thereafter for the lifetime of the development.

Reason: To enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users in the interests of road safety in accordance with Policy GP4 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

08 Prior to the first use of the dwellings hereby approved the internal highway infrastructure shall be constructed to binder course surfacing level (or paved) and is available for use in accordance with the approved plans.

Reason: To ensure that satisfactory access is provided before the development becomes operative in the interests of road safety and the convenience of users of the highway in accordance with Policy GP4 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

09 No gates or other means of obstruction shall be placed across the vehicular access formed as part of this development.

Reason: To permit vehicles to pull clear of the carriageway when entering the site in the interests of road safety in accordance with Policy GP4 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

10 The garage(s) hereby permitted shall only be used for the parking of private motor vehicles and any other purpose incidental to the enjoyment of the dwellinghouse.

Reason: To ensure that adequate on-site parking is retained in the interest of highway safety and residential amenity.

11 No works shall take place on the site at all until a Construction and Environment Management Plan (CEMP) comprehensively detailing the phasing and logistics of construction has been submitted to and approved in writing by the Council as Local Planning Authority.

The method statement shall include, but not be limited to:

- a) Construction traffic routes, including provision for access to the site
- b) Entrance/exit from the site for visitors/contractors/deliveries
- c) Location of directional signage within the site
- d) Siting of temporary containers
- e) Parking for contractors, site operatives and visitors Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of demolition/construction
- f) Temporary roads/areas of hard standing
- g) Schedule for large vehicles delivering/exporting materials to and from site and details of manoeuvring arrangements
- h) Storage of materials and large/heavy vehicles/machinery on site
- i) Measures to control noise and dust
- j) Details of street sweeping/street cleansing/wheelwash facilities
- k) Details for the recycling/disposing of waste resulting from demolition and construction works Hours of working
- l) Phasing of works including start/finish dates
- m) For the avoidance of doubt all construction vehicles shall load/unload within the confines of the site and not on the highway.

The development shall be carried out in accordance with the CEMP.

Reason: To ensure that adequate on-site provision is made for construction traffic, including allowance for the safe circulation, manoeuvring, loading and unloading of vehicles, as well as parking, and to reduce impact on residential amenity and the general amenity of surrounding occupiers in accordance with Policy GP4 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

12 No development shall take place until evidence of the agreement to the relocation of the streetlight at Jessop Close, along with a plan to show the relocated position agreed between relevant parties and approving body, has been submitted to and approved in writing by the Local Planning Authority. The streetlight shall be relocated in accordance with the approved details no later than first occupation of Plot 2.

Reason: In order to ensure the streetlight can be relocated to a satisfactory location and acceptable pedestrian visibility splays are achieved, in accordance with Policy GP4 of the NLDP 2011-2026 (adopted January 2015).

13 Prior to the commencement of the use hereby approved full details of the bin storage, to include elevations and finish detail, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented as approved and then maintained thereafter in that state.

Reason: To ensure adequate bin storage is provided for the site in the interest of visual and residential amenity.

14 Prior to the first use of the building hereby approved, the first floor windows in the northern facing side elevation of each dwelling shall be fitted with obscure glazing to a minimum level 5 and shall be retained in that state thereafter for the lifetime of the development.

Reason: To protect the privacy of adjoining occupiers.

15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order), Schedule 2, Part 1, no development within Classes A, B, C, D, E or F shall be carried out without the prior written permission of the Local Planning Authority.

Reason: To ensure that a satisfactory form of development takes place, to protect trees on and adjacent the site and to protect the amenities of occupiers of adjoining properties.

NOTE TO APPLICANT

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP4, SP9, SP10, SP13, SP18, GP2, GP3, GP4, GP5, GP6, GP7, CE3, CE7, H2, H4, H6, T4, T7 and W3 were relevant to the determination of this application.

02 The applicant must contact the Council's Street Lighting Section on 01633 656656 to arrange relocation of the street lighting column.

03 As of 1st October 2012 any connection to the public sewerage network (foul or surface water sewerage) for the first time will require an adoption agreement with Dwr Cymru Welsh Water. For further advice contact Dwr Cymru Welsh Water on 01443 331155.

03 Prior to the commencement of the development hereby approved, the developer should contact the address management team on 01633 656656 or www.newport.gov.uk/snn to arrange official addressing.

04 The trees to the south of the site are protected by Tree Preservation Order No. 58/mon.

05 It is an offence to carry out any works within the public highway without permission of the Highway Authority. The grant of planning permission will require the applicant to enter into a S278/111 Agreement with the Council as Highway Authority. The applicant is advised to contact the Council's Traffic Management, Road Safety & Adoptions Team to ascertain the details of such an agreement and the information to be provided. For the avoidance of doubt all works shall be carried out at nil cost to the Council.

06 Prior to the commencement of the development hereby approved, the developer should contact the address management team on 01633 656656 or www.newport.gov.uk/snn to arrange official addressing.

07 The applicant is reminded that it is an offence to allow material to be carried from the site and deposited on or cause damage to the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and will prosecute persistent offenders under Sections 131, 148 & 149 of the Highways Act 1980

08 The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

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

In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

09 The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

10 It should be noted that this consent is dependant on the applicant entering into a Planning Obligation under Section 106 of the Town and Country Planning Act 1990.

11 To protect the amenities of existing residents, it is recommended that the following site construction hours are adhered to with regards to construction times.

(i) no construction work involving piling shall be carried out on the site other than between the hours of 08.00 and 17.00 Mondays to Fridays and no construction work involving piling shall be carried out on Saturdays, Sundays or Bank Holidays, where it would create noise audible at the boundary of any residential property.

(ii) Any construction work which does not involve piling shall not be carried out other than between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays, where it would create noise audible at the boundary of any residential property.

Prior approval will be required for any construction to take place outside permitted times and on Sundays and Bank Holidays, where it would create noise audible at the boundary of any residential property.

12 The amended Wildlife and Countryside Act 1981 protects bird species whilst nesting in the UK. This protection extends to a bird, its nest, eggs, and young until such time as the young have fledged. Vegetation clearance should proceed outside the peak bird-breeding season (generally considered to be March through August inclusive) or within the breeding season only if a pre-clearance survey shows no breeding birds to be present, nesting or commencing nesting within the vegetation to be affected.

13 Where there is a risk that bat roosts may be present, it is incumbent upon the owner to commission a specialist bat survey to identify bat roosts before instructing tree surgery to commence. Failure to do so and in the event of disturbing a roost site and upon conviction is an offence. Maximum penalties for committing offences relating to bats or their roosts can amount to imprisonment for a term not exceeding six months or fines of up to Level 5 on the standard scale under the Criminal Justice Act 1982/1991 (i.e. £5000 in April 2001) per roost or bat disturbed or killed, or to both.