

# Former Kensington Court Day Centre, Oaklands Road, Newport, NP19 8GQ

*The demolition of the former daycare centre building  
and the construction of 6 No dwellings, access road,  
turning area and associated works*

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# 1. Introduction

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## Background

- 1.1. This Planning Statement has been prepared in support of a full planning application, submitted on behalf of Townscape Homes Ltd in relation to the following development proposal, located at the Former Kensington Court Day Centre, Oaklands Road, Newport, NP19 8GQ:

*"The demolition of the former daycare centre building and the construction of 6 No dwellings, access road, turning area and associated works".*

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## Information Submitted in Support of the Application

- 1.2. The following information has been prepared in support of the planning application:

Document	Author
Application Forms	GJP
Planning, Design & Access Statement	GJP
Plans & Drawings	DWE Architecture
GI Statement	GJP
Ecology Report	SB Ecology
Tree Survey and AIA	Tree Care Consulting
Heritage Note	EDP
Landscaping Scheme	Potterton Associates
Drainage Strategy	WL Squared

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## Purpose and Structure of this Statement

- 1.3. This Statement outlines the context within which the application is made and provides a detailed examination of the main planning considerations raised by the proposals. The Statement also sets out reasoned justification in support of the proposed development. The statement is structured as follows:
- **Section 2** provides a description of the characteristics of the site and surrounding area, and details regarding the planning history associated with the site;
  - **Section 3** provides details of the development proposals and design objectives;
  - **Section 4** provides details of design analysis for the scheme in line with PPW;
  - **Section 5** outlines the relevant planning policy framework in relation to the site and the development;
  - **Section 6** sets out an overview of the pre-application enquiry response;
  - **Section 7** analyses the key planning considerations arising from the proposed development (considering the planning policy context); and
  - **Section 8** sets out our conclusions.

## 2. Site and Surroundings

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### Background

- 2.1. The site is a brownfield parcel of land which contains the building previously known as Kensington Court Day Care Centre along with several dilapidated outbuildings, access and hardstanding. The site comprises an area of circa 0.29ha and benefits from an existing access point off Oaklands Road.
- 2.2. The site boundaries comprise a mix of trees, and Woodland Park immediately adjoins the site to the south and to the west. The site is located within settlement and is surrounded to the south, east and west by existing residential properties.



Site Location and Context



*Existing Building on site (Previously Kensington Court Day Centre)*

### Access

- 2.3. The site benefits from an existing access point off Oaklands Road with a footway on the Southern Side. An image of this is provided below, albeit the access point shown is overgrown with vegetation.



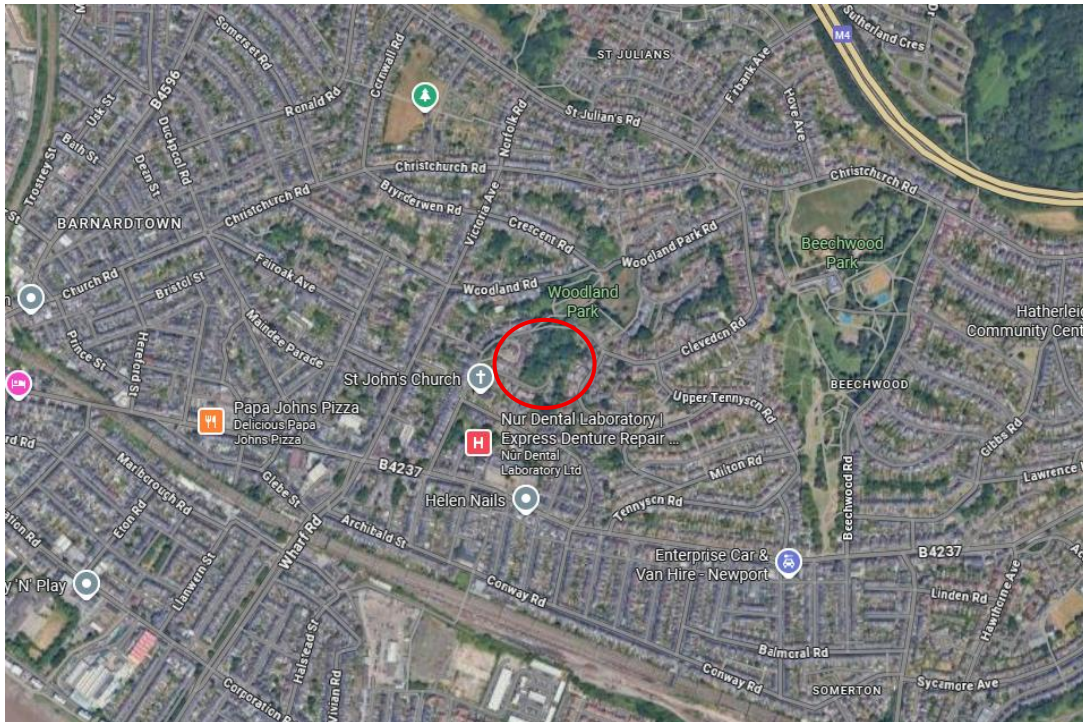
*Image of existing access point from Oaklands Road (dated September 2023)*

### Site Surroundings and Sustainability

- 2.4. The site is located within a sustainable location for residential development – in close proximity to a number of local facilities and services that can be reached via active travel means.
- 2.5. The nearest bus stop is located to the south of the site – situated on Chepstow Road. The bus stop is served by multiple services including the 73, 8C, and X60 which provide regular services to Chepstow and Ringland, as well as less frequent services to Monmouth.
- 2.6. The site is also 400m from The Crown Inn public house to the West, while the High Street of Chepstow Road is located around 500–600m south of the site – which provides a wide range of services and facilities.
- 2.7. Other services / facilities in the surrounding area include:

- Bupa Dental Care;
- Eveswell Primary School;
- Well Pharmacy;
- LT Florist;
- FL Wangler Opticians;
- Barber Shops;
- Takeaway restaurants; and
- Clothing Stores.

2.8. Further aerial images of the site are provided below for context:



Aerial view of the site (Circled red) in wider context

- 2.9. In terms of the sustainability of the site, given it has previously been used as a day care centre with the associated transport movements, the location clearly works.
- 2.10. The site is well-suited for residential use, as it is already situated within a residential suburb and adjoining residential properties. Likewise, the surrounding road infrastructure supports domestic road use associated with the existing dwellings in the area and would have also supported the daycare traffic in parallel when this use was operational.

## Planning History

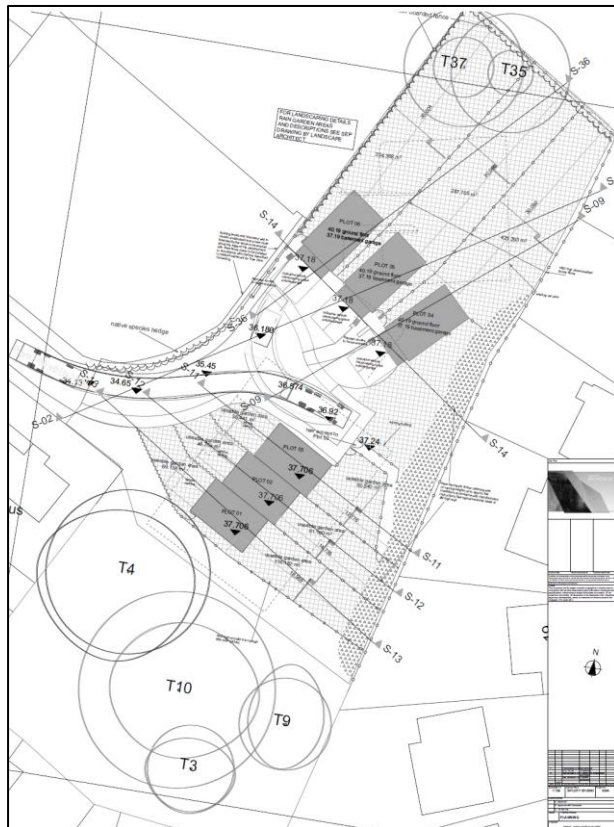
- 2.11. In assessing the site for development, a planning history search for the site has been undertaken using the planning application search register on the Council's website. There have been several planning applications on the site which are listed below.

LPA Ref	Address	Application	Decision	Date
<b>The Site</b>				
22/0546	Kensington Court Day Centre Oaklands Road Newport NP19 8GQ	Demolition of the former daycare centre buildings and the construction of 6no. dwellings, access road, turning area and associated works (Resubmission Of 21/0284)	17/08/2023	Refused
21/0284	Kensington Court Day Centre Oaklands Road Newport NP19 8GQ	Demolition of former daycare centre buildings and the construction of 8no. dwellings, access road, turning area and associated works.	10/06/2021	Refused
20/0484	Kensington Court Day Centre, Oaklands Road, Newport, NP19 8GQ	Demolition of former daycare centre buildings and the construction of 8 No dwellings, access road, turning area and associated works (resubmission)	04/09/2020	Refused
19/0907	Kensington Court Day Centre, Oaklands Road, Newport, NP19 8GQ	Prior notification of proposed demolition of former day care centre	10/11/2019	Prior Approval Required
19/0582	Kensington Court Day Centre, Oaklands Road, Newport, NP19 8GQ	Demolition of existing day centre building of 10No. four bedroom detached dwellings with associated access and works	19/07/2019	Withdrawn

2.12. The application of most relevance to this planning application is discussed below:

#### Application Ref No. 22/0546

2.13. The most recent application at the site sought to make a resubmission of the previous application, through the submission of an amended scheme of 6 dwellings, along with access, turning area and associated works. The proposed site layout from the application is provided below for reference:



Proposed Site Layout Rev P

2.14. The application was refused on the basis of 4 reasons for refusal, which are provided below:

- Reason 1 – *By reason of its siting the proposed layout fails to have suitable regard to trees and adjacent woodland. The development would result in pressure to fell protected trees by reason of their proximity to the proposed dwellings and their overshadowing of the proposed private amenity space, to the detriment of the visual amenities of the area. It also has not been demonstrated how ground lowering could be achieved within the proximity of these specimens. This is contrary to Policies GP2, GP5 and GP6 of the Local Development Plan for Newport 2011-2026 (Adopted January 2015), the Council's Trees, Woodlands, Hedgerows and Development sites Supplementary Planning Guidance and Planning Policy Wales Edition 11.*
- Reason 2 - *Insufficient information has been submitted to demonstrate that the proposals would not result in an adverse impact to neighbouring privacy or amenity by reason of proximity and significant level differences or that the properties would provide a suitable standard of amenity due to their steeply sloping rear gardens and access pathways. In the absence of this information the proposals are contrary to Policy GP2 of the Local Development Plan for Newport 2011-2026 (Adopted January 2015) and the Council's Supplementary Planning Guidance for New Dwellings and Parking (Adopted August 2015).*
- Reason 3 - *The development fails to include clear and acceptable information in relation to the treatment of land levels on site and how changes to these affect design, visual amenity and access. This is harmful to highway safety and the appearance of the streetscene and contrary to Policies GP2, GP4 and GP6.*
- Reason 4 - *The proposal will have a significant adverse effect on interests of acknowledged importance, namely protected trees, residential and visual amenity. This is by reason of inadequate information relating to surface water drainage disposal and Sustainable Urban Drainage System arrangements. No information has been provided to mitigate this objection contrary to Policies SP4, GP2 and GP5 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).*

2.15. As part of this Report, these reasons for refusal will be discussed and responded to further below.

### 3. Development Proposals

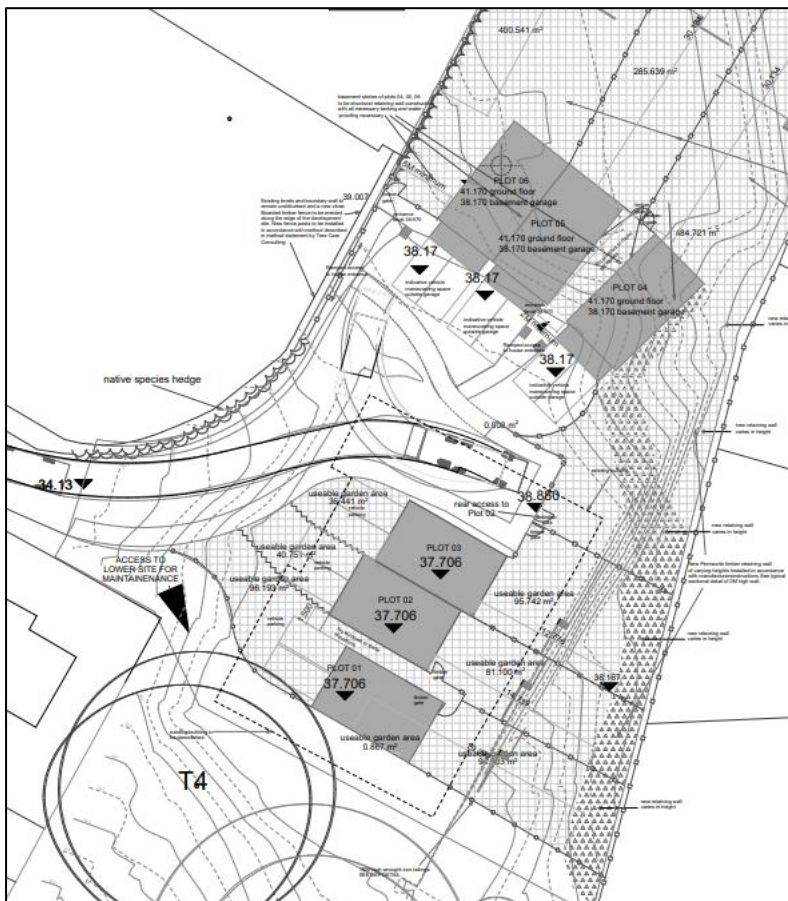
#### Background

3.1. This chapter describes the elements which constitute to the proposed development. It should be read in conjunction with the submitted application plans, drawings and other information. As indicated above, this application seeks full planning permission for the proposed development comprising the:

*“The demolition of the former daycare centre building and the construction of 6 No dwellings, access road, turning area and associated works.”*

3.2. In terms of built form, 6 dwellings have been arranged on the site, with three dwellings to the north (orientated south) comprising two semi-detached properties and one detached dwelling, along with three further units further south (orientated west) again with a pair of semi-detached units and one detached dwelling.

3.3. The below Proposed Site Layout submitted with the application is extracted below for reference:



Extract of Proposed Site Layout

3.4. As shown on the elevational plans, the design of the properties Plots 4 – 6 will be a traditional build design with garages on the lower ground floor and providing three floors of living space with four bedrooms per unit.



**FRONT ELEVATION**

**FRONT ELEVATION**

*Extract of Front Elevations of Plots 5&6 and Plot 4*

- 3.5. The Plots on the lower part of the site (Plots 1 – 3) will be of the same design, however with no basement parking area and comprising a similar overall design with a lower height (2.5 storeys) also with four bedrooms.



**FRONT ELEVATION**

*Extract of Front Elevations of Plots 1 – 3*

- 3.6. Details have also been provided in respect of Sectional drawings in order to provide a further level of detail regarding the relationship of the scheme with the neighbouring dwellings, and to show how retaining features (such as the crib-lock wall) is to be installed.

#### *Parking and Access*

- 3.7. The site will look to utilise the existing access off Oaklands Road and will include a turning area for vehicles. Each property will have 2 parking spaces, along with Plot 4 – 6 benefiting from garage (i.e. space for 2 cars). Moreover, the site is considered to be in a sustainable area within walking distance to a range of amenity and facilities on foot / by cycle.

#### *Landscaping*

- 3.8. The scheme includes the provision of landscaping, a strategy which has been developed by landscape architects Potterton Associates. This has informed the following areas which will be utilised for landscaping:



Extract of Landscaping Scheme

- 3.9. The proposed landscaping design for the site introduces a series of carefully considered landscaping features that respect the existing trees and areas within the site. The proposals include the creation of wildflower grass lawn areas and native woodland and scrub planting. The crib-lock waling to the rear of Plots 1 – 3 will also include benefits for ecology and for softening the edges of the scheme.
- 3.10. Further details are included in the Green Infrastructure Statement, submitted and prepared as part of this application.

## Conclusion

- 3.11. For all of the above reasons, it is considered that this proposal represents an acceptable proposal (as a result of the previous building which was on the site) – both in terms of overall approach, and in terms of detail.

## 4. Design Objectives and Analysis

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### Background

#### 4.1 Design is defined within Planning Policy Wales (PPW) as:

*"The relationship between all elements of the natural and built environment. To create sustainable development, design must go beyond aesthetics and include the social, environmental and economic aspects of the development, including its construction, operation and management, and its relationship to its surroundings".*

#### 4.2 TAN 12 highlights that:

*"Good design is also inclusive design. The principles of inclusive design are that it places people at the heart of the design process, acknowledges diversity and difference, offers choice where a single design solution cannot accommodate all users, provides for flexibility in use, and, provides buildings and environments that are convenient and enjoyable to use for everyone".*

#### 4.3 TAN 12 promotes key objectives of good design under the following headings:

- Character and Context;
- Community Safety;
- Environmental Sustainability; and
- Movement and Access.

#### 4.4 The way in which each key objective has been considered and addressed in the design of the scheme is outlined below.

#### 4.5 Moreover, the guidance set out in Design And Access Statements in Wales (April 2017) has also been considered in preparing this Statement.

### Character and Context

#### *Scale, Layout and Appearance*

#### 4.6 The proposal seeks to demolish the existing building on the site, which formerly comprised a day centre, previously ran by Newport City Council. The building has slowly fallen into disrepair over the last few years and therefore the redevelopment of the site is considered to represent an improvement to the area and the amenity of the neighbouring properties.

#### 4.7 As explained in the Development Proposals section of this Statement, the proposed housing site comprises a total of six dwellings, which have been arranged on the site in two rows, with three dwellings at the top of the site (comprising two semi-detached properties and one detached dwelling), along with three further units further south - again comprising a pair of semi-detached units and one detached dwelling. Each will hve four bedrooms and access to rear private amenity areas.

#### 4.8 In terms of appearance, the proposals will reflect the traditional build of the surrounding dwellings (such as those on Kensington Place, Kensington Grove and Chepstow Road whilst also respecting levels of the site. Example images have been provided below.



*Existing dwellings on Kensington Place*



*Existing dwellings on Kensington Grove*



*Existing dwellings on Chepstow Road*

### ***Environmental Sustainability***

**4.9** As part of the proposals, further planting and landscaping has been proposed in order to create further opportunities for ecology and biodiversity. Moreover, any trees of value / protected by TPO's have also been considered in adapting the design and site layout, which is considered to be a key benefit to the proposal as

well as consideration of the adjacent Oaklands Woodland to the west. Moreover, rainwater gardens have been included in the drainage design in order to provide SAB acceptable drainage solution.

- 4.10 In terms of the dwellings, these will be energy efficient, with features such as double glazing and the build materials used will include a high level of insulation. The scheme also provides the ability for solar panels on the roofs, if the Council considered this necessary as part of the application.

### *Community Safety*

- 4.11 There will be natural surveillance of the site itself and the road area created through the windows and doors which will provide a level of outlook around the entire site. There will be minimal outdoor lighting proposed, which will provide for security and help to create a safe environment for any residents of the units. However, any outdoor lighting will also be kept to a minimum in order to prevent any impacts on ecology.

### *Access and Movement*

- 4.12 Access to the development will continue to utilise the existing access point from the main road and parking for this will be located directly outside each property. Each property also has access to the rear gardens for security purposes and for bin storage.
- 4.13 A pedestrian footpath to the right side of the access road to provide a suitable point of pedestrian access for residents and visitors to follow.

### **Summary**

- 4.14 It is considered that the scheme has been designed to utilise the site for a sustainable housing site, whilst respecting the existing trees within the site and within the adjacent Park. Moreover, the redevelopment of the site will improve the general look of the site (which is currently in a poor state due to the deterioration of the former Day Centre Building) and prevent the site from any future antisocial behaviour.

## 5. Planning Policy Context

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### Background

- 5.1. A review of the planning policy context associated with the site and proposed development (at the national and local level) is provided within this section of the Statement.
- 5.2. The key planning policies of relevance to the determination of the application are outlined below. A detailed assessment of the accordancy of the proposed development with these policies is provided in Section 5 (Material Considerations) of this Statement.
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### National Planning Policy

#### The Future Wales: The National Plan 2040

- 5.3. Future Wales: The National Plan 2040 was adopted in February 2021 and replaces the Wales Spatial Plan as the national development framework setting the direction for development in Wales up to 2040. Future Wales represents the highest tier of development plan and focuses on solutions at a National Scale setting out a framework which will inform Strategic Development Plans at a regional level and Local Development Plans (LDPs) at local authority level. The document consists of a development plan which aims to set out a strategy for addressing key national priorities through the planning system. These include, but are not limited to, developing a vibrant economy, improving the health and well-being of communities, and re-energising the economy in a sustainable way.
- 5.4. Policies of relevance comprise the following:
- Policy 1 - Where Wales Will Grow;
  - Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking;
  - Policy 8 - Flooding; and
  - Policy 9 - Resilient Ecological Networks and Green Infrastructure.

#### *The Future Wales Outcomes*

- 5.5. In order to achieve its vision by 2040, Future Wales has set out 11 outcomes which act as overarching ambitions based on the national planning principles and national sustainable placemaking outcomes set out in Planning Policy Wales. The 11 Outcomes effectively represent the goal for Wales in 2040. These outcomes include:
- A Wales where people live and work in connected, inclusive and healthy places;
  - A Wales where people live in vibrant rural places with access to homes, jobs and services;
  - A Wales where people live in distinctive regions that tackle health and socio-economic inequality through sustainable growth;
  - A Wales where people live in places with a thriving Welsh language;
  - A Wales where people live and work in towns and cities which are a focus and springboard for sustainable growth;
  - A Wales where people live in places with prosperity, innovation and culture are promoted;

- A Wales where people live in places where travel is sustainable;
- A Wales with world-class digital infrastructure;
- A Wales where people live in places that sustainably manage their natural resources and reduce pollution;
- A Wales where people live in places with biodiverse, resilient and connected ecosystems; and
- A Wales where people live in places which are de-carbonised and climate resilient.

### Planning Policy Wales: Edition 12 (February 2024)

- 5.6. Planning Policy Wales (PPW) forms the overarching national planning policy document within Wales, providing guidance to Local Planning Authorities (LPAs) for the preparation of development plans and the determination of planning applications through their development management functions.

#### *Placemaking*

- 5.7. Paragraph 2.8 sets out the key drivers for placemaking, and states:
- 5.8. *“Planning policies, proposals and decisions must seek to promote sustainable development and support the well-being of people and communities across Wales. This can be done through maximising their contribution to the achievement of the seven well-being goals and by using the five Ways of Working, as required by the Well-being of Future Generations Act. These goals are extracted below:*



*The Well-being of Future Generation's Goals*

#### National Sustainable Placemaking Outcomes

- 5.9. Figure 6 on page 20 outlines how PPW should be used to achieve sustainable places in diagram format:



PPW Figure 6

5.10. Paragraph 2.26 sets out how to assess the benefits of sustainable development:

*"Planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle".*

5.11. The key factors in the assessment process include:

#### Social Considerations

- *Who are the interested and affected people and communities;*
- *How does the proposal change a persons way of life, which can include:*
  - *how people live, for example how they get around and access services;*
  - *how people work, for example access to adequate employment;*
  - *how people socialise, for example access to recreation activities; and*
  - *how people interact with one another on a daily basis*
- *Who will benefit and suffer any impacts from the proposal;*
- *What are the short and long-term consequences of the proposal on a community, including its composition, cohesion, character, how it functions and its sense of place; and*
- *How does the proposal support development of more equal and more cohesive communities.*

#### Economic Considerations

- *The numbers and types of long term jobs expected to be created or retained;*
- *Whether, and how far, the development will help redress economic disadvantage or support regeneration priorities, for example by enhancing local employment opportunities or upgrading the environment;*
- *The contribution the development would make to achieving wider strategies, for example the growth or regeneration of certain areas;*
- *The contribution this economic activity will have to wider policy goals; and*
- *How the proposal would support the achievement of a more prosperous, low carbon, innovative and resource efficient Wales.*

#### Cultural Considerations

- *How far the proposal supports the conditions that allow for the use of the Welsh language;*
- *Whether or not the development protects areas and assets of cultural and historic significance;*

- *Have cultural considerations and their relationships with the tourism industry been appropriately maximised;*
- *If the proposal protects areas known for their cultural value in terms of music, literature, sport and the arts; and*
- *Vibrant cultural experiences.*

### Environmental Considerations

- *Will important features of the natural and built environment be protected and enhanced;*
- *Are the environmental impacts of development on health and amenity limited to acceptable levels and the resilience of ecosystems improved;*
- *Is environmental protection for people and natural resources, property and infrastructure maximised and environmental risks prevented or appropriately managed;*
- *Will high standards of restoration, remediation, decommissioning and beneficial after uses be achieved;*
- *Will the depletion of non-renewable resources be minimised, waste prevented and the efficient and most appropriate use of materials made and re-use and recycling promoted;*
- *Will the causes and impacts of climate change be fully taken into account through location, design, build, operation, decommissioning and restoration; and*
- *Does it support decarbonisation and the transition to a low carbon economy.*

5.12. Achieving appropriate sustainable development is reliant on good design. Paragraph 3.3 states: *“To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area”.*

5.13. Paragraph 3.4 sets out the above in an illustrative / diagrammatic manner.



*Objectives of Good Design*

5.14. Paragraph 3.60 provides guidance for development in the countryside and states *“all new development should be of a scale and design that respects the character of the surrounding area”.*

5.15. Section 5.6 of PPW 12 – The Rural Economy, states that *“The rural economy must develop a wide base if it is to be adaptable and resilient”.* This concept is reiterated in paragraph 5.6.3 of which states: *“Micro and small enterprises have a vital role to play in the rural economy and contribute to both local and national competitiveness and prosperity”.*

## Technical Advice Notes (TANs)

- 5.16. Technical Advice Notes (TANs) supplement the policy principles of PPW and add further detail on issues which might affect development potential of the site. TANs which are considered relevant to the proposal and should therefore be given weight are:

TAN	Title
TAN 2	Planning and Affordable Housing (2006)
TAN 10	Tree Preservation Orders (1997)
TAN 11	Noise (1997)
TAN 12	Design (2016)
TAN 18	Transport (2007)

## Local Planning Policy

### Newport Local Development Plan

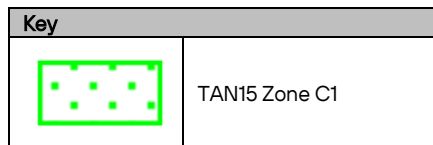
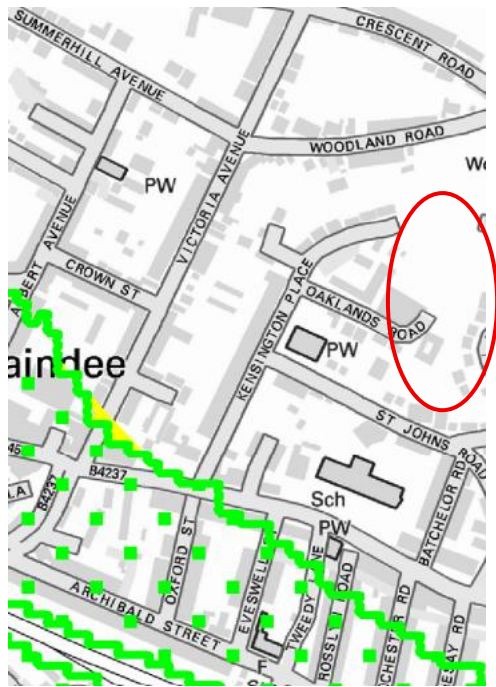
- 5.17. The current adopted Development Plan is Newport Local Development Plan (LDP), adopted in January 2015. This is presently used for the determination of planning applications and deals with the use and conservation of land and buildings within the plan period 2011 - 2026. An extract from the LDP Proposals Map is provided below:



Extract of LDP Proposals Map (Location of site shown approximately in Red)

Key	
	Settlement boundary
	Environmental space
	Conservation Area

- 5.18. The constraints map within the LDP is also of relevance when assessing the site and an extract of this is included below:



Extract of LDP Constraints Map (Location of site shown approximately in Red)

5.19. To summarise, in terms of the site's designation and the site:

- Located within settlement boundaries as 'white land';
- Located outside of Conservation Area;
- Located outside of Flood Zone; and
- Located adjacent to an environmental space (i.e. Woodland Park).

5.20. The following policies are considered to be of relevance:

Policy	Title	Summary
SP1	Sustainability	Proposals which make a positive contribution to sustainable development are favoured
SP9	Conservation of the Natural, Historic and Built Environment	This Policy protects habitats and species as well as Newport's listed buildings, conservation areas, historic parks and gardens, scheduled ancient monuments, archaeologically sensitive areas and landscape designated as being of outstanding historic interest.
SP12	Community Facilities	Promotes development of new community facilities such as places of worship, cemeteries, health centres, nurseries, museums, public halls, cinemas, concert halls, allotments, leisure use etc. Development that affects existing community facilities should be designed to retain or enhance essential facilities.
SP13	Planning Obligations	Enables contributions to be sought from developers that will help deliver infrastructure which is necessary to support development
GP2	General Development Principles – General Amenity	Development will not be permitted where it has a significant adverse effect on local amenity in terms of noise, disturbance, overbearing, light, odours and air quality. Development will not be permitted which is detrimental to the visual amenity. Proposals should seek to design out crime and anti-social behaviour, promote inclusion and provide adequate amenity for future occupiers.
GP4	General Development Principles – Highways and Accessibility	Development should provide appropriate access for pedestrians, cyclists and public transport along with appropriate car parking and cycle storage. Development should not be detrimental to the highway, highway capacity or pedestrian safety and should be designed to enhance sustainable forms of transport and accessibility.

Policy	Title	Summary
GP5	General Development Principles – Natural Environment	Proposals should be designed to protect and encourage biodiversity and ecological connectivity and ensure there are no negative impacts on protected habitats. Proposals should not result in an unacceptable impact of water quality or the loss or reduction in quality of agricultural land (Grades 1, 2 and 3A). There should be no unacceptable impact on landscape quality and proposals should enhance the site and wider context including green infrastructure and biodiversity.
GP6	General Development Principles – Quality of Design	Good quality design will be sought in all forms of development. In considering proposals, a number of factors are listed which should be considered to ensure a good quality scheme is developed. These include consideration of the context of the site; access, permeability and layout; preservation and enhancement; scale and form of the development; materials and detailing; and sustainability.
GP7	General Development Principles – Environmental Protection and Public Health	Development will not be permitted which would cause or result in unacceptable harm to health.
CE3	Environmental Spaces and Corridors	Development of environment space will only be permitted where the existing space will be improved or complemented; there is no adverse impact on nature conservation interest; there is an appropriate replacement; or it can be demonstrated that there is an excess of environmental space.
CE7	Conservation Areas	Sets out the criteria that development proposals within or adjacent to the conservation area must comply with in order to preserve or enhance the conservation area.
CE8	Locally Designated Nature Conservation and Geological Sites	Includes the protection of Sites of Importance for Nature Conservation (SINC), Local Nature Reserves (LNRs) and Regionally Important Geological/Geomorphological Sites (RIGS). The policy limits development affecting these sites unless there would be no significant impact or appropriate mitigation/compensation can be agreed.
H1	Housing Sites	A small site is where less than 10 dwellings are proposed. Over the past 5 years, completions on small sites have averaged 41 units per annum. Using this as a basis for future estimations, the remaining 13 years of the plan period is anticipated to contribute 533 units to the housing supply.
H2	Housing Standards	Promotes high quality design, taking into consideration the whole life of the dwelling.
H4	Affordable Housing	Sets out the affordable housing targets for the four submarket areas within Newport. For new housing sites of fewer than 10 dwellings within the settlement boundary, and fewer than 3 dwellings within the village boundaries, a commuted sum will be sought.
H6	Sub-division of Curtilages, Infill and Backland Development	Permits such development only where it does not represent an over development of the land.
CF12	Protection of Existing Community Facilities	Resists the loss of existing community buildings unless alternative provision is made or it is demonstrated that the building is surplus to the needs of the community.
T4	Parking	Development will be expected to provide appropriate levels of parking.

### Newport Replacement Local Development Plan (RLDP)

5.21. As part of the ongoing work preparing the Replacement Local Development Plan (RLDP), NCC are currently at Preferred Strategy (Pre-Deposit Plan) stage. The Preferred Strategy represents a partial draft of the RLDP, based on the feedback received from previous consultations undertaken and the available evidence base collated to date. The Delivery Agreement currently sets out that the RLDP is to be adopted by February 2026.

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## Supplementary Planning Guidance

5.22. In following Supplementary Planning Guidance (SPG) have also been taken into consideration:

- Planning Obligations (2020);
- Wildlife and Development (2015);
- New Dwellings (2020);
- Parking Standards (2015); and
- Trees, Woodlands, Hedgerows and Development sites (2017).

### Trees, Woodlands, Hedgerows and Development Sites (2017) SPG

5.23. Given the site's proximity to the edge of the Oaklands Woodland (to the west), the impact on trees and canopies has been assessed in detail as part of the formulation of the scheme and the final layout.

5.24. Paragraph 7.2 states that *"there is to be a minimum distance of 5m between any part of the canopy and any part of the curtilage"*. As a result, Plot 6 has been located 5 metres away from the edge of the woodland boundary, in order to ensure adherence to the SPG requirements.

5.25. The scheme is also supported by an AIA to confirm that there are no impacts on the existing trees from the new development. This is explored further in the section below.

## 6. Pre-Application Dialogue and Advice

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### Pre-Application Dialogue

6.1 A Pre-Application Enquiry was submitted for the proposed development of the site, to Newport City Council and a Teams meetings with the Case Officer took place on 22<sup>nd</sup> May 2024 with formal advice provided in a written response dated 28<sup>th</sup> May 2025 (reference PRELET/ P/25/0004). A follow up meeting took place in March 2025 in order to discuss the changes that had been made to the scheme in order to overcome the key issues raised and written feedback was also received from the Authority on 19<sup>th</sup> March 2025. The key considerations outlined within the formal response pertaining to the development are reproduced below for context:

- Impact on Trees (Oaklands Wood Boundary);
- Crib Lock Wall / Visual Amenity;
- Topographical and levels information; and
- Further information to address highways and landscaping matters including a Green Infrastructure Statement.

6.2 The following were considered to be the key issues to address as part of overcoming the previous reasons for refusal. Moreover, these were the key matters discussed with the Council as part of the Pre-application Enquiry dialogue. The following information was submitted to address the previous reasons for refusal (Ref. 22/0546) and were submitted as part of the pre-application enquiry.

### Trees and Adjacent Woodland

6.3 The first reason for refusal from the previous application (Ref. 22/0546) relates to trees, in that the development would result in *"pressure to fell protected trees by reason of their proximity to the proposed dwellings and their overshadowing of the proposed private amenity space, to the detriment of the visual amenities of the area. It also has not been demonstrated how ground lowering could be achieved within the proximity of these specimens."*

6.4 Moreover, it was noted that Paragraph 5.20 of the Committee Report stated *"the close proximity of the dwellings of the protected trees is likely to result in pressure from residents to undertake work or fell protected trees as a result of overshadowing and perceived risk of damage to property"*.

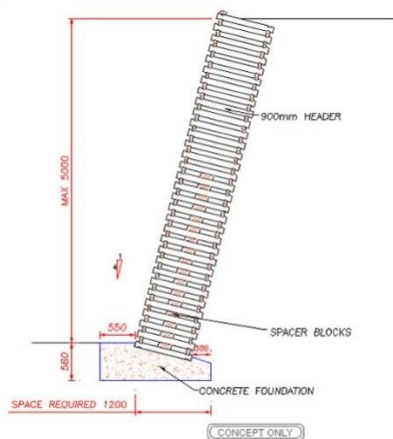
6.5 As per the AIA and Site Layout, Trees T35 and T37 to the north of the site are well away from the proposed dwellings and so these would not be impacted.

6.6 In relation to T4 to the south, the shade calculations show that shade would be for a small part of the day and only partial. This is considered to be quite normal in the UK (i.e. to have some shade at some part of the day) and, given the climatical changes happening, it is argued that tree shade will become much more important in future years.

### Impact to Neighbouring Privacy and Amenity

6.7 The second reason for refusal for the previous application related to insufficient information being provided to demonstrate that the proposals would not result in an adverse impact to neighbouring privacy or amenity by reason of proximity and significant level differences or that the properties would provide a suitable standard of amenity due to their steeply sloping rear gardens and access pathways.

- 6.8 The Sections were updated to reflect the latest layout and these all confirm that there is no amenity impact on neighbouring properties in terms of overlooking.
- 6.9 In terms of the proposed amenity areas for the occupiers of the new dwellings, the Site Sections also confirmed that the proposed rear garden levels will be flattened as far as possible, with a crib lock wall being located at the rear due to the change in levels. Details of this are provide below and within the Permacrib Retaining Wall System Certificate Product Sheet.



*Crib Lock Wall Detail Proposed*

- 6.10 Paragraph 5.14 of the Committee Report also commented that no gradients had been provided for the rear access path for Plot 2. The updated Site Layout submitted, the rear access to Plot 2 is also shown at a maximum 1:20 gradient which confirmed that this is an acceptable incline for inclusive pedestrian access. The gradient of the access road has previously been confirmed by Officers as acceptable and no changes have been made to this.

### Response to Pre-Application Enquiry

- 6.11 In response to the advice provided as part of the pre-application response, some further positive minor design amendments were made to the scheme, in addition to further detailed plans being produced, and the commissioning of further supporting technical input. The following changes and positive adjustments include, albeit are not limited to:

- Increased buffer with woodland – Plot 6 has been moved further away from the site boundary and increased a buffer to 5 metres to accommodate further tree canopy; and
- Rear access of Plot 2 – a pedestrian footway has been included between Plots 1 and 2 to create a better access arrangement.

- 6.12 A follow up written response was received in March 2025, (LPA Ref. PRELET/ P/25/0004). The response confirmed the following:

*"I am satisfied with the relationship between the proposed development and neighbouring Oaklands wood. I would also consider the siting of plot 6 further south to facilitate rear access to plot 2 may have some merit.*

*I am satisfied with the relationship between plots 1, 2 and 3 and the retaining crib walls following their reduction in height.*

*However, I continue to have concerns regarding the site layout and the ability to provide meaningful landscaping or a structural landscape scheme that is integral to it rather than an obvious afterthought. Failure*

*to address this matter satisfactorily will weigh heavily against the proposals in the decision making process and will likely result in a formal planning application being refused."*

6.13 As such, a Landscaping Scheme has been prepared accordingly along with a Green Infrastructure Statement in order to show how the scheme has had consideration for landscaping and green infrastructure.

### Supporting Information

6.14 It was also noted that the following documents were considered to be necessary to support any future application:

- Tree Survey and AIA;
- Drainage Strategy;
- Preliminary Ecological Appraisal;
- Landscape Scheme; and
- Heritage Note.

6.15 As such, the planning advice received (both in meetings and in writing) have been reviewed and responded to as part of this application and have resulted in a number of positive changes and amendments to the scheme.

## 7. Material Considerations

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### Key Planning Considerations

- 7.1. The key planning considerations arising from the proposed development (considering the nature and form of the proposed development and the planning policy context outlined within the preceding section of the Statement) are as follows:
- Principle of Development;
  - Trees;
  - Landscape and Green Infrastructure;
  - Amenity and Overlooking;
  - Access & Highways; and
  - Other Material Considerations.
- 7.2. These issues are discussed in further detail below.
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### Principle of Development

- 7.3. Policy SP1 (Sustainability) outlines that: *"Proposals will be required to make a positive contribution to sustainable development by concentrating development in sustainable locations on brownfield land within the settlement boundary. They will be assessed as to their potential contribution to:*
- The efficient use of land;*
  - The reuse of previously developed land and empty properties in preference to greenfield sites"*
- 7.4. Given the site was previously used as a day centre, along with associated parking and access, the proposal will look to redevelop an unused brownfield site for much needed housing in a sustainable area.
- 7.5. The redevelopment of the site for housing has also been accepted by the Planning Authority in the previous applications submitted and therefore the principle of developing the site for housing is considered to be acceptable.
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### Trees

- 7.6. The planning application (Ref. 22/0546) was previously refused on the basis of the impact on trees *"The proposal will have a significant adverse effect on interests of acknowledged importance, namely protected trees, residential and visual amenity."*
- 7.7. During pre-application discussions, the impact on trees was discussed at length, with the key concerns being the proximity of the proposed dwellings to the existing trees to the west of the site (which lie outside of the site boundary and within the Council's ownership). As a result, the layout has been amended to ensure that an appropriate buffer has been applied to the woodland trees to the east. As a result, the layout was amended in order to push Plot 6 further west, to create a further buffer for any increase in the trees future canopy.
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- 7.8. As such, steps have been taken by the architect in order to address this issue, and the Proposed Site Plan has been updated to address the proximity issue. Plots 4, 5, and 6 have been moved away from the Woodland Boundary giving a distance now of about 5m as shown on the Sections. The plots in this area now proposed a pair of semi-detached properties and a detached house pushed as far towards the East as possible to allow a pair of access paths to each of plots 4 and 5.
- 7.9. A Tree Survey and Arboricultural Impact Assessment have been updated and are submitted with the application which confirm the category of the trees as well as the relevant protection measures necessary.

## Landscaping and Green Infrastructure

- 7.10. Although the pre-application submission addressed a number of issues raised in the refusal of the previous application, during Pre-application dialogue, the following was raised by the Case Officer: *"I continue to have concerns regarding the site layout and the ability to provide meaningful landscaping, as noted by the Council's Landscape Officer. Her comments are detailed and raise many points of query and concern that are yet to be addressed."*
- 7.11. As a result, Potterton Associates have been instructed to prepare a Landscape plan in order to provide a robust scheme to provide soft and hard landscaping as part of the scheme.



Extract of Landscaping Scheme

- 7.12. The proposed landscaping design for the site introduces a series of carefully considered landscaping features that respect the existing trees and areas within the site. The proposals include the creation of wildflower grass lawn areas and native woodland and scrub planting. The proposed planting seeks to create pockets of attractive green space within the site whilst also providing opportunities to increase ecological value.

## Amenity and Overlooking

- 7.13. The previous application was refused on the basis of impacts to amenity of existing residents and concerns regarding the crib-lock walling to the rear of Plots 1 – 3:

*“Insufficient information has been submitted to demonstrate that the proposals would not result in an adverse impact to neighbouring privacy or amenity by reason of proximity and significant level differences or that the properties would provide a suitable standard of amenity due to their steeply sloping rear gardens and access pathways.”*

- 7.14. In order to respond to this previous reason for refusal, the topographical information has been revisited to ensure that all of the existing levels are correct. The impact of this is that the heights of the crib lock walling have been significantly reduced for Plots 1 - 3 and have added a small piece of masonry retaining wall by the pedestrian entrance to Plot 6. This can be seen in the application site sections.
- 7.15. The layout seeks to balance a number of constraints, the key being the levels changes (between the site and between the site and properties located on Eveswell Park Road) as well as retention of the various trees on the site and within the adjacent land – with which the canopies overhang on the western side of the site. As such, the properties and garden areas are at an angle and of a proximity that currently works taking all these constraints into account.
- 7.16. Other examples have also been provided as to how crib lock walling can be softened with the use of planting.



Examples of Crib Lock Walling with Planting

- 7.17. This also provides further opportunity for Green Infrastructure and ecology. This is further explored in the Green Infrastructure Statement.

## Access & Highways

- 7.18. As previously noted, the site is accessed via Oaklands Road and benefits from being in walking distance to a range of services and facilities within the local area as well as sustainable travel options on Chepstow Road. Full details are included in Section 2 ‘Site and Surroundings’.
- 7.19. The proposed layout includes a new access road onto the site culminating in a turning head, and Plots 1 - 3 will be served by two car parking spaces. Plots 4 - 6 will be served by parking spaces outside of the properties as well as each having an integral garage, similarly containing room for two cars per dwelling. The tracking drawing submitted as part of the application confirms that the proposed turning area which demonstrates the proposed link from the site into the existing carriageway and footway on Oaklands Road which will be acceptable.

- 7.20. In regard to parking requirements, in accordance with the Council's SPG, the properties each require 3no spaces each. However, a Sustainability Assessment has been submitted in support of the application, which demonstrates that 2 car parking spaces per dwelling is acceptable in this location (see below sustainability calculation):

<b>Local Facilities</b>	<b>Distance</b>	<b>Points</b>
Maes Ebbw Bach	350m	2
Foodstore	600m	1
Dentist	400m	-
Eveswell Primary School	500m	-
<b>Bus Stop</b>	400m	2
<b>Cycle Route</b>	-	-
<b>PT Frequency</b>	10 mins	2
<b>Total</b>		7

*Sustainability Assessment*

- 7.21. It is noted that the third reason for the refusal of the previous application (Ref. 22/0546) stated that the application failed to include clear and acceptable information in relation to the treatment of land levels on site and how changes to these affect design, visual amenity and access. This was considered to be *"harmful to highway safety and the appearance of the streetscene"*.
- 7.22. The updated Site Sections submitted confirm the location of the basement garages for Plots 4-6. These have been updated with the proposed levels on the site shown slightly more raised than previously so that the basement garages are at ground floor level. To reflect this, updated elevations have also been prepared as part of this planning application in order to show how this change would be viewed in the street scene.

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## Other Material Considerations

### *Flood Risk & Drainage*

- 7.23. NRW's Flood Map for Planning shows that the site is not at risk of flooding. In terms of surface water, this will be managed by a series of rain gardens – as identified within the Drainage Strategy for the site (prepared by WSquared Consultants).
- 7.24. A SAB pre-application enquiry will be made in order to ensure that the surface water strategy for the site is acceptable. In addition, a connection to foul drainage mains sewer will be made in order to provide foul drainage for the site.

### *Historic Environment*

- 7.25. An extract from the Historic Wales mapping shows that the site is in proximity to two Grade II Listed Buildings, Cambrian House and Church of St John the Evangelist.



*Heritage Assets Plan (Approximate site outlined in red)*

- 7.26. The Heritage Assessment submitted focusses on the potential for impacts to the significance of the Grade II listed building Cambrian House resulting from change within its setting. The Assessment concludes that the redevelopment of the site would not result in any change to the setting of the Grade II listed building that would result in an adverse effect on its significance.

*Public Rights of Way*

- 7.27. There are no public rights of way running through or directly adjacent to the site.

## 8. Summary and Conclusions

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### Summary

- 8.1. This Planning, Design and Statement outlines the context within which the full application is made, provides a detailed examination of the main planning considerations raised by the proposals, together with a reasoned justification in support of the proposed development.
- 8.2. The proposed development seeks full planning permission for a scheme of 6 dwellings, access, parking and landscaping at the former Kensington Court Day Centre, Oaklands Road, Newport.
- 8.3. The proposal is considered to be policy compliant and both appropriate and acceptable:
- The site lies within settlement boundary limits and on an under-utilised, vacant brownfield site, and therefore the principle of developing the site as a housing site would be acceptable in principle in terms of the LDP;
  - The reduction in density from previous layouts result in less harm on any surrounding trees and the tree on the site – something which is supported by the AIA submitted;
  - The development would not result in a harmful impact of the residential amenity of the neighbouring properties;
  - The proposals would not result in an adverse highways impact, and the parking provision is considered acceptable given the sustainable location of the site;
  - The scheme can accommodate a suitable drainage strategy which would have no adverse impact on trees; and
  - The proposals would have no adverse impacts in respect of flood risk, drainage, ecology and heritage.

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### Conclusion

- 8.4. Having regard to the above material considerations, it is considered that the proposed development represents an appropriate and policy compliant scheme.
- 8.5. Accordingly, it is therefore considered that the proposed development is acceptable, and we would respectfully request that the full application be approved.



**GJP.**

**Planning &  
Development  
Consultancy**