

# Notice of Decision



Griffiths  
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CF5 1DB

## TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **24/0756**  
Application Type: **Full (Major)**  
Proposal: **THE CONSTRUCTION OF 30NO AFFORDABLE HOUSING APARTMENTS AND ASSOCIATED EXTERNAL WORKS AND PARKING**  
Site/Location: **Land Formerly Known As 21, Kelvedon Street, Newport, South Wales,**  
Decision Date: **20th February 2026**

In pursuance of its powers under the above Act the Council of the City of Newport notifies you of its decision in respect of your application, registered by them on 17th December 2024. The application has been:-

### Granted with Conditions

#### STANDARD CONDITIONS

The development must begin not later than the expiration of **FIVE YEARS** from the date of this permission.

**Reason:** To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

Prior to the commencement of the development hereby approved a notice shall be given to the local planning authority.

- (a) stating the date on which the development is to begin;
- (b) giving details of the planning permission and of such other matters as is required by Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended (the Order).

**REASON:** To comply with the requirements of Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning (Wales) Act 2015.

#### ADDITIONAL CONDITIONS

1. The development shall be implemented in accordance with the following plans and documents: 1660PL1-04 E Proposed site plan, 1660PL1-05 B Proposed floor plans, 1660PL1-06 F Proposed elevations, 1660PL1-10B RPZs, 1660PL1-11 Bin & Bike store, 1660PL1-DAS-Rev5 Design & Access Statement, 1660PL1:GIS rev 2 GIS, 24.7482\_ENS1 Environment Noise Assessment, OCA-JBA-XX-XX-RP-Z-0001-S0-P01- \_FCA Flood Consequence Assessment, 1229.01 B Soft Landscape proposals, R01 A Landscape management plan, 16.09.24 Kelvedon Street, Newport Tree survey, Tree Constraints Plan A3 Kelvedon Street, Newport Tree constraints plan, SE158-PEA Preliminary Ecology survey, 1660PL-Materials.  
**Reason:** In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.
2. Pre- commencement conditions  
No development, 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
- (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 Council's Tree Officer.

Reason: To protect important landscape features within the site in accordance with Policy GP5 of the NLDP.

3. No development or phase of development, including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:
  - o Construction methods: details of materials, how waste generated will be managed;
  - o General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
  - o Soil Management: details of topsoil strip, storage and amelioration for re-use.
  - o CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
  - o Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities.
  - o Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption and wastewater.
  - o Traffic Management: details of site deliveries, plant on site, wheel wash facilities
  - o Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
  - o Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
  - o Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction in accordance with Policy GP5 of the NLDP.
  
4. No development, of land known to be / suspected of contamination, shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.
  1. A preliminary risk assessment which has identified:
    - i all previous uses
    - ii potential contaminants associated with those uses
    - iii a conceptual model of the site indicating sources, pathways and receptors
    - iv potentially unacceptable risks arising from contamination at the site
  2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reason: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination in accordance with Policy GP5 of the NLDP.
  
5. Notwithstanding the means of enclosure details provided, prior to commencement of development, full details of enclosures to all communal areas shall be submitted to and approved in writing by the Local Planning Authority along with a management plan for the maintenance and security of communal areas, notably those areas subject to gated pedestrian access. The development shall be undertaken in accordance with the approved details with enclosures completed prior to first occupation of any apartment and retained for lifetime of development.
 

Reason: To ensure that the development is completed in a manner compatible with its surroundings and in the interests of residential amenity in accordance with Policy GP2 and GP6 of the NLDP.
  
6. No works shall take place on the site at all until a method statement comprehensively detailing the phasing and logistics of demolition/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 and in the interests of air quality in accordance with Policies GP2, GP4 and GP7 of the NLDP.

7. No development shall commence until full details of all retaining walls, vehicular ramp and green roof details have been submitted to and approved in writing by the local planning authority. The details shall include a monitoring and maintenance plan for the green roofs to include photographic evidence by a Landscape Consultant, timings for planting and replacement plants where necessary by 31st December for year 2 and 5 after planting.

With the exception of the timings above specifically referring to the green roof, the development shall be completed in accordance with the approved details prior to the first occupation of any unit as hereby approved and shall thereafter be permanently maintained thus.

Reason: In the interests of visual amenity in accordance with Policy GP6 of the NLDP.

8. No development shall commence on site until a scheme of Ultra Low Energy Vehicle infrastructure has been submitted to the LPA. The scheme must be approved by the LPA prior to implementation and thereafter be permanently retained. ULEV Infrastructure shall be available to staff during the construction phase in so far as this is reasonably practicable.

Reason: To prevent unacceptable harm because of air pollution (Policy GP7); There must not be a significant adverse effect upon local amenity in terms of air quality (Policy GP2)

9. Pre - construction conditions

Except for site clearance and remediation, no development shall take place until a scheme to permanently close off the existing vehicular access on Kelvedon Street and Witham Street has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as agreed prior to first occupation of any part of the development unless otherwise agreed in writing by the Council as Local Planning Authority.

Reason: To limit the number of access points to, and to maintain the proper construction of, the highway in the interests of road safety.

10. The development shall not be brought into use until the areas indicated on the submitted plans to be set aside for parking and servicing have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown in drawing number 1660-PL1-04 Rev F. The parking and servicing areas shall be retained as such thereafter.

Reason: To ensure that adequate provision is made on the site for the traffic generated by the development, including allowance for safe circulation, manoeuvring, loading and unloading of vehicles as well as parking, and that hard-surfaced areas have a satisfactory appearance in accordance with Policy GP4 of the NLDP.

11. Pre -occupation conditions

The bin store and cycle storage building shall be completed in accordance with the approved details prior to the first occupation of any unit as hereby approved and shall thereafter be permanently maintained thus.

Reason: In the interests of visual amenity in accordance with Policy GP6 of the NLDP.

12. Prior to the occupation of the development a long term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long term monitoring plan should include:

- o Details of the methods and triggers for action to be undertaken
- o Timescales for the long term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required (for x years)
- o Timescales for submission of monitoring reports to the LPA e.g. annually
- o Details of any necessary contingency and remedial actions and timescales for actions
- o Details confirming that the contingency and remedial actions have been carried out.

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Reason: A long term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on controlled waters in accordance with Policy GP5 of the NLDP.

13. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this

unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks in accordance with Policies GP5 and GP7 of the NLDP.

14. No part of the development shall be brought into use until visibility splays in accordance with the approved plans have been provided on each side of the access. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times.  
Reason: To provide the driver of a vehicle using the access and other users of the public highway with adequate inter-visibility in the interests of road safety in accordance with Policy GP4 of the NLDP.
15. Prior to first occupation of the development hereby permitted full details of a waste management strategy shall be submitted to the Local Planning Authority and written approval received. The strategy shall be subsequently implemented in accordance with the approved details.  
Reason: To ensure that adequate on-site provision is made for servicing and waste management collection including allowance for the storage, transfer and collection of waste to reduce impact on residential amenity and the general amenity of surrounding occupiers in accordance with Policies GP2 and W3 of the NLDP.
16. Prior to first occupation of the development hereby permitted full details of a scheme for the management and security of communal amenity space serving the development shall be submitted to the Local Planning Authority and written approval received. The communal amenity space shall thereafter be managed in accordance with the approved details for the lifetime of development.  
Reason: To ensure the space is secured and managed in the interests of the amenity of neighbouring occupants and future occupants of the development in accordance with Policy GP2 of the NLDP.
17. General conditions  
The finished floor levels of the development shall be set no lower than 7.72m AOD for the car park, and 8m AOD for the proposed apartment building. The development shall be undertaken in accordance with the approved details.  
Reason: In the interests of visual amenities and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policies SP3 and GP6 of the NLDP.
18. The scheme of landscaping, tree planting and management schedule hereby approved 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 the development. Thereafter the trees and shrubs shall be maintained for a period of 5 years from the date of planting and any which die or are damaged shall be replaced and maintained until satisfactorily established. For the purpose of this condition, a full planting season shall mean the period from October to April.  
Reason: To secure the satisfactory implementation of the proposal in accordance with Policy GP2 and GP5 of the NLDP.
19. The windows shown in the north-west side elevation of the building hereby approved shall be obscure glazed at the time of installation to minimum level 4 Pilkington scale and no additional windows shall be installed in either of these elevations.  
Reason: In the interests of neighbouring amenity in accordance with Policy GP2 of the NLDP.
20. The development shall be completed in accordance with the approved drainage details prior to the first occupation of any unit as hereby approved and shall thereafter be permanently maintained thus.  
Reason: In the interests of visual amenity in accordance with Policy GP6 of the NLDP.

#### NOTE TO APPLICANT

The development shall be carried out fully in accordance with the proposals shown in the application and in the plans and particulars accompanying such application as varied and amended by this permission.

This decision notice is issued in respect of Planning Permission only and does not convey any decision which may be required under any other legislation or provisions, such as the Building Regulations. For advice on the requirements of the Building Regulations and allied legislation, and/or whether there is a need for a Building Regulations submission, please contact the Council's Building Control Section on 01633 656656 or email [building.control@newport.gov.uk](mailto:building.control@newport.gov.uk).

The development shall be carried out fully in accordance with the proposals shown in the application and in the plans and particulars accompanying such application as varied and amended by this permission.

Where there are conditions which require details to be approved prior to the commencement of development, failure to submit these details prior to commencement of development may result in the permission being invalidated.

**Informative:**

Any person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a copy of any notice of the decision to grant it, in accordance with Schedule 5B to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended and Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning (Wales) Act 2015.

1. This decision relates to plan Nos: 1660PL1-04 E Proposed site plan, 1660PL1-05 B Proposed floor plans, 1660PL1-06 F Proposed elevations, 1660PL1-10B RPZs, 1660PL1-11 Bin & Bike store, 1660PL1-DAS-Rev5 Design & Access Statement, 1660PL1:GIS rev 2 GIS, 1660PL1:TP Travel Plan, 24.7482\_ENS1 Environment Noise Assessment, OCA-JBA-XX-XX-RP-Z-0001-S0-P01- \_FCA Flood Consequence Assessment, 1229.01 B Soft Landscape proposals, R01 A Landscape management plan, 16.09.24 Kelvedon Street, Newport Tree survey, Tree Constraints Plan A3 Kelvedon Street, Newport Tree constraints plan, SE158-PEA Preliminary Ecology survey, 1660PL1-08B Images, Kelvedon Street Parking Survey Report (24062d1a) Parking survey.
2. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP1, GP1, GP2, GP4, GP5, GP6, GP7, H2, H3, T4, H4, W3 were relevant to the determination of this application.
3. 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.
4. 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.
5. Any site clearance should consider the likely presence of nesting birds in the scrubby vegetation present. Nesting birds are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), whereby it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.
6. 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](http://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 11) 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.

7. It is an offence to carry out any works within the public highway without permission of the Highway Authority. This consent requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980 the Highway Authority must specify the works to be carried out and only the Highway Authority or contractor approved by the Highway Authority can carry out the works. Therefore prior to commencing any works that affect the access you must contact the Council's Highway Maintenance Team on 01925 443322 (email [highwaymaintenance@warrington.gov.uk](mailto:highwaymaintenance@warrington.gov.uk)) for further details.

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.

The grant of planning permission may require the applicant to seek the implementation of a Traffic Regulation Orders, the effect of which is to clarify and simplify the waiting restrictions in the vicinity of the access. All costs incurred by the Highway Authority will be required to be met by the applicant. Contact the Council's Traffic Management, Road Safety & Adoptions Team for further details.



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Regeneration and Economic Development  
Civic Centre  
Newport  
South Wales  
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**Tracey Brooks Bsc Hons Dip TP MRTPI ILM**  
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**Cyngor Dinas Casnewydd / Newport City Council**

**Application Number: 24/0756**

**Decision Date: 20th February 2026**

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*IMPORTANT! PLEASE READ THE NOTES ON THE REVERSE OF THIS FORM*

# Notes for Applicants

## TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

### Appeals to the Welsh Government

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission or grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act (as amended).
- Appeals must be made within a prescribed time period that is dependent on the application type. These time periods along with further information on the appeals process are available here and should be checked immediately: [Planning appeals | Sub-topic | GOV.WALES](#)
- Appeals in respect of:
  - Householder and 'minor commercial' development must be received within 12 weeks from the date of the decision notice;
  - Advertisement consent applications must be received within 8 weeks from the date of the decision notice; and,
  - Other types of planning application must be received within 6 months from the date of the decision notice.

Appeal forms can be downloaded at Planning Casework ([gov.wales](http://gov.wales)) or are obtainable from Planning and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ, email [PEDW.Casework@gov.wales](mailto:PEDW.Casework@gov.wales)

- The Welsh Ministers can allow a longer period for giving notice of an appeal, but are not normally prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Welsh Ministers do not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

### Purchase Notices

- If either the Local Planning Authority or the Welsh Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).