

Notice of Decision



S Groucott
Skerryvore Designs
Sextons Tower
2 Caerphilly Road
Bassaleg
Newport
NP10 8LE

TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **23/0703**

Application Type: **Full**

Proposal: **CONVERSION OF FIRST AND SECOND FLOORS TO CREATE 7NO. RESIDENTIAL APARTMENTS, COMMUNITY FACILITY (D1) AT GROUND FLOOR AND ASSOICATED INTERNAL AND EXTERNAL WORKS**

Site/Location: **West Of England Hotel, 42 Mill Parade, Newport, NP20 2JS**

Decision Date: **23rd January 2025**

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 18th November 2024. The application has been:-

Refused

Reason(s) for refusal:

01 The development, in particular the extension of the parking area, would have a significant adverse impact upon interests of acknowledged importance, namely the impact upon the street tree. No information has been provided to mitigate this objection in the form of a Tree Survey submitted in accordance with BS 5837:2012 by a bona fide Tree Consultant, contrary to Policy GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

02 The development would have a significant adverse impact upon interests of acknowledged importance, namely the amenity of future residents and the surrounding area, due to inadequate and poorly designed waste storage arrangements for both the residential and commercial elements of the scheme. The bin storage would be internal to the building which would result in odours, to the detriment of the amenities of future occupiers. The waste storage arrangements are contrary to the requirements of the Waste and Recycling Supplementary Planning Guidance and Policy W3 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

03 The development would have a significant adverse impact upon interests of acknowledged importance, namely it represents an unsustainable form of development which fails to be mitigated by contributions towards affordable housing and off-site leisure improvements. As such, the scheme is contrary to the Planning Obligations SPG dated January 2020 and policies SP1, SP13 and H4 of the Newport Local Development Plan 2011-2026 (Adopted January 2015).

NOTE TO APPLICANT

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.

The plans have been assessed on the basis of the scale or dimensions stipulated and any statement of 'do not scale' (or similar) has been disregarded.

1. This decision relates to plan Nos:
 - o Block Plan (Drawing ref: SD724 09E)
 - o Proposed Layouts 7 Apartments (Drawing ref: SD724 07D)
 - o Ownership with deeds overlain Reduced Scheme (Drawing ref: SD724 10)
 - o Existing Elevations (Drawing ref: SD724 03)
 - o Site Location Plan (Drawing ref: SD724 01A)
 - o Proposed Elevations (Drawing ref: SD724 08A)
 - o Existing Layouts (Drawing ref: SD724 02)
 - o Title Deeds 1 - 4 (Received: 04/06/2024)
 - o Cycle Parking and Landscape Information (Received: 12/03/2024)
 - o Design & Access Statement (Received: 02/03/2024)
 - o Flood Consequences Assessment (Received: 08/01/2024)
 - o Bat Scoping Survey (Received: 31/10/2024)
 - o Sound Report (Received: 22/08/2023)
 - o Proposed Elevations (Drawing ref: SD724 05)
 - o Parking Assessment (Received: 09/08/2024).
2. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP1, SP3, SP4, SP9, SP13, SP18, GP2, GP4, GP5, GP6, GP7, CE7, H2, H4, H8, T4, W3 were relevant to the determination of this application.
3. Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

Signed on behalf of the Council



Newport City Council
Regeneration and Economic Development
Civic Centre
Newport
South Wales
NP20 4UR

Tracey Brooks Bsc Hons Dip TP MRTPI ILM
Pennaeth Adfywio a Datblygu Economaidd / Head of Regeneration and Economic Development
Cyngor Dinas Casnewydd / Newport City Council

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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) or are obtainable from Planning and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ, email 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).