

Notice of Decision



S Gadsby
Ty Green Ltd
10 New Road
Caldicot
Caldicot
NP26 4HG

Article 8(3A)/ 23(5)
Town and Country Planning (Development Management Procedure (Wales) Order 2012 (as amended))

NOTICE UNDER SECTION 62ZA(2) OF THE TOWN AND COUNTRY PLANNING ACT 1990

Application No: **24/0524**

Application Type: **Full**

Proposal: **CONVERSION OF BUILDING INTO RESIDENTIAL USE TO INCLUDE A SMALL SIDE EXTENSION, CONSTRUCTION OF DETACHED DOMESTIC STABLE BLOCK, STANDALONE BAT HOUSE AND ASSOCIATED WORKS INCLUDING LANDSCAPING, FORMATION OF A SMALL DOMESTIC GARDEN, IMPROVEMENTS TO ACCESS AND PROVISION OF TWO PARKING SPACES**

Site/Location: **Land North Of Rock Cottage, Arcade Road, Penhow, Newport, South Wales,**

Decision Date: **17th September 2024**

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. The application is:-

Invalid

The application is invalid for the following reasons and to validate the planning application, the following information should be submitted to the planning authority within 28 days of the decision date of this notice.

- 1) No fee has been paid on this application as it was indicated by the agent to be a re-submission following a previous refusal. It has subsequently come to light that the application does not qualify for a fee exemption as the site plan (Drawing No. TG2203-23 Revision C) for the resubmission is different and larger than the earlier application reference 23/0242 contained in Appendix A for ease of reference (and not included solely for the purpose of providing a different means of access). The site has been extended to the north beyond the driveway and south with the drainage field and orchard included.

Article 8 of The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015 prescribes that there will be no fee due for a resubmission following refusal of a planning application of an application made by, or on behalf of the same applicant, on the same site as that to which the earlier application related, **or to part of that site, and to no other land except land included solely for the purpose of providing a different means of access to the site;** and relates to development of the same character or description as the development to which the earlier application related (and to no other development).

The exemption specified in Article 8 has therefore not been met as the site is larger than the original submission.

The fee required is **£920**, this being the higher fee applicable to the floorspace proposed by new buildings on site. To clarify, the change of use fee is £460 but the fee applicable to the new buildings is higher at £920. This has been based on a 5m x 5m bat house and a 15m by 5.2m stable building. This equates to 103sqm with the fee being £460 per 75sqm or part thereof.

From 7th January 2019 developments (whether permitted development or not) with a construction area of 100square metres or more or more than 1 dwelling*, will require the prior approval of the Sustainable Drainage Approving Body (SAB) to a system of sustainable drainage to serve the project. This is mandatory and projects cannot lawfully commence without such approval.

The process of obtaining SAB approval is separate to the planning application process. The granting of planning permission does not convey approval to sustainable urban drainage systems and a separate application to the SAB will be required. Applicants for projects that meet or exceed the above thresholds are advised to obtain early professional drainage advice in relation to this matter.

*exemptions include construction areas less than 100 sqm, existing sites with planning permission prior to 7th January 2019; sites for which a valid planning application has been received by 7th January 2019; and sites for which outline permission has been granted by 7th January 2019 and an associated reserved matters submission is made by 7th January 2020.

If you would like further clarification on the additional information required, please contact Francesca Sanders

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

Any incorrect/incomplete documents referred to above are enclosed. Please would you correct/complete these documents and return, together with any additional information specified above, **quoting the application number at the top of this letter**. Upon receipt of the required information, it will be possible to register your application.

If the information specified above has not been received within **28 days** of the decision date on this notice, or we have not received notification that you have lodged an appeal, your application will be declared finally invalid and any fee paid will be returned or refunded.

If you would like further clarification on the additional information required, please contact Francesca Sanders on Francesca.Sanders@newport.gov.uk.

APPEALS AGAINST NOTICE OF NON-VALIDATION

Applications for planning permission have the right of appeal to the Welsh Ministers under Section 62ZB of the Town and Country Planning Act 1990. The time period within which the applicant must give notice of appeal is 2 weeks from the date of the notice, Full details of the appeal process are available under Article 24C of the DMPWO. Appeal forms are obtainable from the Welsh Ministers at: <http://gov.wales/topics/planning/>

This notice has been issued in accordance with article 8(3)A or 23(5) of the Town and Country Planning (Development Management Procedure (Wales) Order 2012.

The Town and Country Planning (Validation Appeals Procedure) (Wales) Regulations 2016 provide further information on how Welsh Ministers will conduct the non-validation appeals process.