

Delegated Decision Report

Application No:	26/0010	Statutory Period Expires:	25th August 2026
------------------------	----------------	----------------------------------	------------------------------------

Site:	<i>The Grove Bowdens Lane Penhow Newport NP26 3AA</i>		
Proposal:	<i>DEMOLITION OF AN EXISTING SEMI-DETACHED DWELLING AND CONSTRUCTION OF A REPLACEMENT TWO-STOREY DETACHED DWELLING, TOGETHER WITH ASSOCIATED WORKS AND USE OF DETACHED HOLIDAY ACCOMMODATION OUTBUILDING AS PRIMARY RESIDENCE FOR DURATION OF CONSTRUCTION PERIOD</i>		
Applicant:	<i>W Laws</i>		
Type:	Full	Ward:	Bishton And Langstone
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

- 2.1 The property is a semi-detached dwelling. It is located in the open countryside, and the area has a strong rural character. There are public rights of way opposite and south side of the site continuing to the rear in an easterly direction. The property fronts and is within close proximity to the highway with a low stone wall boundary treatment and consequently the property is highly visible. The property is evident on 1886 mapping, but it appears to have been modernised overtime, having a render finish to the main portion and a subsidiary side element to the north constructed, at least in part of stone. Together with the adjoining neighbour the property is generally considered to contribute positively to the rural character of the area. The stone wall and outbuilding to the frontage of the property are particularly attractive. The property occupies a large curtilage with pleasant semi landscaped gardens and outbuildings at the rear. There is a Beech Tree with a preservation order within the site.
- 2.2 Planning permission was granted in 2021 for a tourist lodge within the curtilage of the property to the northeastern corner of the site. It subsequently came to light during the consideration of this application, that the tourism unit had not been built in accordance with the previously approved plans. An application to gain approval for as built and revised plans was recently granted under 26/0359. It is proposed that the lodge will accommodate the applicant as his primary residence during the construction phase of the replacement dwelling.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks full planning permission for the demolition of an existing semi-detached property and construction of a replacement two storey detached dwelling with associated works and use of holiday accommodation as primary residence during construction. The supporting information states that whilst currently a habitable dwelling, The Grove pre-dates modern building standards and is energy inefficient, with many elements now in a poor state of repair. Owing to its original construction methods, materials and internal layout, the existing dwelling provides a limited amount of usable accommodation relative to its footprint and overall volume.
- 3.2 The replacement dwelling would be sited similarly to the existing property adjacent to the southern boundary with a similar distance between the front of the property and the western boundary with the highway to the front. There would be a distance of approximately 2.6m between the replacement dwelling and Castle View to the south-east, with the two dwellings sited side-by-side. The replacement dwelling would measure a maximum of 15.8m in length comprising of the main two storey element and a smaller subsidiary element to the north side. It would have a maximum depth of 11m and ridge height of 7.4m. The proposed design is of a traditional nature with low eaves and first floor accommodation served by dormers to the front elevation. The fenestration would be arranged symmetrically to the

front elevation with a central entrance door and timber porch and windows surrounding. The materials would comprise render to the elevations of the main section with the subsidiary element having an attractive stone finish in keeping with the existing boundary frontage at the property. The rear of the property would have a more modern appearance with a large projecting semi-glazed gable. Solar panels are shown to the front and rear roof slope. The accommodation would comprise kitchen and living accommodation at ground floor with four bedrooms and bathrooms at first floor.

- 3.3 The existing vehicular access, garage and parking area would be retained. Areas of patio are shown to the front side and rear of the property.

4. RELEVANT SITE HISTORY

21/0783	CERTIFICATE OF LAWFULNESS FOR EXISTING USE OF LAND AS C3 (RESIDENTIAL)	GRANTED
21/0865	REPLACEMENT OF AN EXISTING OUTBUILDING WITH A SINGLE UNIT FOR TOURIST ACCOMMODATION AND ASSOCIATED WORKS INCLUDING IMPROVEMENTS TO ACCESS ALONG BOWDENS LANE BY RELOCATING THE EXISTING GATEWAY AND GARAGE	GRANTED WITH CONDITIONS
26/0359	REPLACEMENT OF AN EXISTING OUTBUILDING WITH A SINGLE UNIT FOR TOURIST ACCOMMODATION AND ASSOCIATED WORKS INCLUDING IMPROVEMENTS TO ACCESS ALONG BOWDENS LANE BY RELOCATING THE EXISTING GATEWAY AND GARAGE (PART RETROSPECTIVE)	GRANTED WITH CONDITIONS

5. PLANNING POLICY

- 5.1 THE NATIONAL DEVELOPMENT FRAMEWORK: FUTURE WALES - THE NATIONAL PLAN 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

- 5.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

- 5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy SP1 Sustainability favours proposals which make a positive contribution to

sustainable development.

Policy SP5 Countryside limits development outside of the settlement boundary.

Policy GP2 General Development Principles – General Amenity states that 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.

Policy GP4 General Development Principles – Highways and Accessibility states that 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 GP5 General Development Principles – Natural Environment states that 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.

Policy GP6 General Development Principles – Quality of Design states that 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.

Policy GP7 General Development Principles – Environmental Protection and Public Health states that development will not be permitted which would cause or result in unacceptable harm to health.

Policy T4 Parking states that development will be expected to provide appropriate levels of parking.

Policy H12 Replacement Dwellings in the Countryside sets out the criteria for replacement dwellings in the countryside. The volume of the new dwelling should not be 30% larger than the original dwelling; there will be no subsequent extension to the new dwellings; the dwelling has a lawful residential use; the existing dwelling should not be retained; and any agricultural tie shall be attached to the new dwelling.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

Parking Standards SPG – August 2015

Mineral Safeguarding – 2017

Trees, Woodland, Hedgerows and Development Sites SPG – January 2017

Wildlife and Development – August 2015

New Dwellings – January 2020

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales: **We have no objection to the proposed development as submitted and provide the following advice.**

European Protected Species

We note that the information submitted in support of the above application, Bat roost assessment and nesting bird survey report, prepared by smart ecology, dated 11 December 2025, has identified that bats are unlikely to be using the application site. We therefore have no comments to make on the application as submitted in respect of bats.

We recommend that you discuss the need to secure further measures/ avoidance measures with your internal ecological advisor

Advice for the Developer

Pollution Prevention

During the construction phase you should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages. For further guidance please refer to Guidance for Pollution Prevention (GPP) 5: Works and

maintenance in or near water, and GPP 6: Working on construction and demolition sites, which are available on the NetRegs website.

- 6.2 Local Highways Authority: **Highway recommendation:**
No objection subject to conditions.
Highway Comments:
Following receipt of a revised and proportionate CEMP we would be content for a condition to ensure compliance.
Similarly, the EVC information provided is acceptable and a pre-beneficial use compliance condition would be appropriate.
Conditions relating to visibility, gate location and surfacing are also requested as previously detailed.
- 6.3 Ecology officer: The Preliminary Bat Roost Assessment & Nesting Bird Survey Report dated 11/12/25 concludes that the building to be demolished has negligible bat roost potential, and I agree with the methodology and conclusions set out in that report.
Therefore the surveys carried out for the previous 21/0865 application need not be repeated for the present application.
I have no objection to the Green Infrastructure Statement, and implementation of the measures set out under the 'Compensate – Proposed Enhancements' heading, which include those proposed in the bat / birds survey report, should be secured by planning condition.
- 6.4 Environmental Health: Confirm information relating to the ASHP and private sewerage treatment is acceptable.
- 6.5 Landscape officer: **Following submission of revised or additional information.**
☐ Landscape Plan 26/0010 rev 02 now labels planting approved under 21/0865. All planting except two feathered trees on the north boundary relates to the 21/0865 approval abut has not been implemented.
☐ Photos are now submitted to show the view from the public footpath. The frontage was more enclosed as shown on Google Earth however removal of the magnolia has opened up views. I advise that further softening of the proposed west elevation facing the road and footpath is required and suggest a new hedge or ornamental shrub planting to soften rather than screen the boundary [this is in addition to the two replacement magnolia already approved under 21/0865] – note that magnolia are slow to establish.
- Recommendations:**
1. Implementation of 21/0865 planting should be undertaken as soon as possible ie. planting should not be delayed until completion of any approval under 26/0010 where feasible.
2. Further revision is required to the planting plan along the west elevation road frontage.
- 6.6 Dwr Cymru – Welsh Water: We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.
- This application is located in an unsewered area and since the proposal intends on utilising an alternative to mains drainage, we would advise that the applicant seek advice from Natural Resources Wales and the Building Regulations Authority as both are responsible to regulate alternative methods of drainage.
- Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.
- 6.7 Waste Manager: We would anticipate the main property receive a single 120l bin for kerbside collection with recycling bags, boxes for kerbside collection also with one council tax paid on the property as a whole.
- 6.8 SAB: Having reviewed the information, a SAB application will likely be required due to the scale of the works. We would encourage the applicant to engage with us at the earliest

opportunity to ensure that the planning application and sab application can be reviewed in conjunction to ensure the design satisfies SAB and planning standards.

- 6.9 Tree officer: The Application is supported by a suitable Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan.
Tree 26 is not shown as protected but is a low-grade specimen within the rear garden and therefore does not contribute to the local or wider landscape.
Tree 17 Beech, is protected by a Tree Preservation Order and is protected by suitable fencing
an existing 'no dig' drive surface to the north. The RPA of this tree extends beyond the driveway which could be damaged by creeping development and / or material storage.
Fencing for tree 1 should be extended along the northern side of the drive to prevent the spread of demolition and construction operations as far as the trunk of the Beech.
Section 4.5.3 states that the protective fencing will be changed for chestnut pale fencing along the northern drive edge. This is not sufficiently robust to resist construction pressures and does not comply with British Standard 5837:2012. Fencing as a minimum should consist of Weldmesh Panels supported on concrete or rubber feet and braced to resist impact. Tree loss is rather minor and mitigated by planting within the landscape proposals
Conclusion: The proposals are acceptable in Arboricultural terms, subject to minor amendments of the Tree Protection Plan.
- 6.10 Structural Engineer: Has reviewed the proposals with regard to the party wall and offers no objections.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 15th January 2025, Site Notice was put up on 23rd January 2026.

- 7.1 NEIGHBOURS: 1no response received in support of the application and summarised below:
-The Grove is our adjoining, semi detached property, we reside at Castle View. The applicant has consulted with my husband and I throughout this process on his plans for the demolition of The Grove. It is the intention that full surveys will be undertaken of our home, Castle View, and insurance sought before demolition begins to protect Castle View from any damage or future defects caused by the demolition of The Grove.
- 7.2 PENHOW COMMUNITY COUNCIL: Members considered Planning Application 26/0010 in detail and noted the proposal to demolish the one half of the semi-detached cottages, the frontage of which has not changed much in over 100 years. The demolition of The Grove side and the building of a replacement two-storey detached dwelling will have a visual impact on this area.
The greatest concern in a demolition of this type is the impact the actions have on the remaining half of the cottages in particular the 'party' wall, in this case the wall of Castle View. The party wall, is effectively an internal wall at the moment, constructed to split the original 'detached' cottage in two some time ago. The wall may therefore be sub-standard and require additional support, and additional 'skin' to protect it from the elements.
Whilst Council have noted point 6 of the Construction Management Plan in respect of 'Demolition and Construction Phasing' which states the '*making good of the party wall*', Council would like to know more about what the developer of The Grove intends to put in place regarding any defect that may arise in future years to Castle View that is due/down to the demolition of The Grove. Will there be some form of financial compensation agreement in place, will there be a full Party Wall agreement in place? Whilst this is not a *planning material issue*, the Council need to ensure that its residents are protected at all costs. The Council do not believe they have been furnished with sufficient information to support the Planning Application, and would like to know the exact works to be undertaken to support the internal wall that effectively will now become an external wall open to the elements. It questions whether 'rendering' will be sufficient?
A member also had concerns about the proposed siting of the heat resource pump, acknowledging that these can be quite noisy.

8. ASSESSMENT

8.1 Principle of Development:

Policy H12 of the Newport Local Development Plan permits replacement dwellings in the countryside subject to a number of criteria. The supporting text confirms that this Policy is designed to allow the updating of residential accommodation, particularly where this is now seen to be substandard, but only in the context of allowing a modest increase in its size, not to allow a much larger dwelling that would be on a different scale to the original. The property does not appear to have been extended in recent years and has a lawful residential use. The siting of the replacement dwelling would not facilitate the retention of the existing property.

8.2 The supporting information refers to the existing property having a volume of 570m³. However, officers consider it to be approximately 540m³. The volume of the proposed dwelling would be 760m³. This equates to a percentage increase of just over 40%. The volume of the replacement dwelling would therefore be larger than the 30% policy allowance. However, the policy affirms that where it can be demonstrated that an increase above 30% will not have a detrimental impact upon the character and appearance of the surrounding area it may be considered acceptable. The replacement dwelling would be well proportioned with attractive and traditional architectural detailing and having a rural character and it is not considered that the proposals would result in an adverse impact to the rural character of the area despite the increase in volume above which the policy allows for. Whilst a bulky two storey glazed gable feature is proposed which has a more modern appearance, being at the rear of the property this is less visible from the public realms. There is a Public Right of Way that runs to the rear (east) of the site, however as it is a considerable distance away (over 100m) and due to boundary trees and vegetation the property is not readily visible from the footpath.

8.3 The existing property has been subject to ad hoc extensions and alterations over time. Clashing materials are evident with the side extension having concrete roof tiles in contrast to the natural slate on the main roof. It also appears to have had unsympathetic alterations to the fenestration, and the design of the flat roofed front porch is particularly at odds with the host dwelling albeit it is modest in scale. The replacement dwelling would result in a succinct, good quality form of development and has merit.

8.4 Visual Amenity/ Character and Appearance;

As noted above, the replacement dwelling is considered to be good quality design and is appropriate within the rural setting. The proposals would result in the neighbouring semis being detached but within close proximity and subsequently it is important that they relate positively to one another. The information accompanying the application shows that the replacement dwelling would be detached from the neighbouring property but would maintain the building line to the front. The ridge of the replacement dwelling would be approximately 400mm higher than the existing house at Castle View. However, the eaves level of the replacement dwelling is low with upper floor accommodation served by dormers, helping to reduce overall massing and ensure that the design of the replacement dwelling does not dominate the neighbouring dwelling.

8.5 Whilst areas of hardstanding/patio are proposed around the replacement dwelling the areas are small and sensitively designed and the proposals would not result in a dominance of hard surfacing or a change to the generally verdant character of the site.

8.6 Residential Amenity:

The replacement dwelling would largely be located on the footprint of the existing building, maintaining approximately 3m separation from Castle View. The front elevations of the properties would be aligned. The ridge of the replacement dwelling would be approximately 400mm higher than the existing house and Castle View. However, the eaves level of the replacement dwelling is low with upper floor accommodation served by dormers, helping to reduce overall massing and ensure that the design of the replacement dwelling does not dominate the neighbouring dwelling.

8.7 The replacement dwelling would feature a projecting two storey gable which would project approximately 3.5m from the rear elevation of the host dwelling. The gable would be set off the intervening boundary with Castle View by approximately 3m and is not considered to result in an overbearing impact to the occupants of Castle View. There are windows in the rear elevation of Castle View in close proximity to the neighbouring boundary and a window in a side elevation of a rear extension which is directly orientated towards the garden of the application site. However, the windows in question serve a utility room and w.c. at ground floor and a bathroom at first floor. These windows are not protected and the development is considered to be acceptable insofar as it relates to them. No first floor windows are proposed in the southern elevation of the gable that would result in overlooking of this neighbour.

8.8 The new section of boundary with Castle View will be formed by the existing party wall (side elevation of Castle View) once rendered. The hedges either side are to be retained and a short section of existing timber fence either side will be refreshed/replaced as required. The access/parking arrangements etc for Castle View will not be affected by the proposals. The development is considered to be acceptable in terms of neighbouring privacy and amenity.

8.9 **Movement:**

The existing vehicular access to the site and existing parking provision within the site is to be retained and the proposals are not considered to result in an adverse highways impact. The Council's Highways officer notes that the holiday let was approved subject to the following condition:

Prior to the first occupation of the tourism unit hereby approved, the works to the access must be carried out in full and visibility splays must be maintained in accordance with the approved plans. All these areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres.

Reason: In the interests of road safety and traffic movement, in accordance with policy GP6.

8.10 The applicant advises that access improvements approved under 21/0865 have been partially implemented but are not completed to date. Full compliance with the approved plan would result in dismantling elements of the previously agreed scheme in order to facilitate suitable construction access for the proposed replacement dwelling subject to this application. It is stated that it is intended to fully comply with the conditions imposed on the holiday let permission relating to access works and a condition requiring them to be completed in accordance with the approved details can also be imposed on this permission.

8.11 The Highways officer confirms that the replacement dwelling would not raise any further issues, but conditions are requested. The applicant has provided information relating to construction management and so a CEMP condition is not required.

8.12 **Drainage/ Flooding:**

The site is not within a flood risk area. With regard to SAB the applicant advises that a separate SAB application is being submitted in support of the development. The drainage strategy has been developed in consultation with the SAB. Surface water will be managed on site through a combination of attenuation and rainwater harvesting for reuse on site, supplemented by soakaway infiltration. The supporting information states that the scheme is designed to ensure a zero surface water runoff rate from the site, in accordance with current SuDS requirements.

8.13 Foul drainage is currently served by a shared septic tank with Castle View, which will be retained with the neighbouring property. A new package treatment plant and associated drainage field were installed under planning permission 21/0865 to serve the approved tourist accommodation. This system was specifically located and sized to allow for future connection of the main dwelling, and the replacement house will be connected to this treatment plant as part of the proposed development. Dwr Cymru – Welsh Water confirm the area is unsewered and NRW have not objected to the proposals. The Council's Environmental Health officers have reviewed the details and confirm no objection is offered.

8.14 Biodiversity:

The application is accompanied by a Preliminary Bat Roost Assessment & Nesting Bird Survey Report which concludes that the building has negligible bat roost potential. The Council's Ecology officer confirms agreement with the methodology and conclusions set out in that report.

- 8.15 The application contains a Green Infrastructure Statement which sets out a step-wise approach in accordance with PPW. The Council's Ecology officer offers no objection to this and the enhancement measures which include bat and bird boxes which should be secured by planning condition.

8.16 Landscaping/ Trees:

The proposed development has been designed to minimise its impact on the existing landscape character of the site. Existing lawned areas will be retained wherever possible. A new section of lawn will be laid in the gap created by detaching the property. The introduction of non-permeable surfaces is to a level that is acceptable in the rural setting and is limited to essential areas only, including a narrow walkway around parts of the dwelling and small, defined patio areas. In addition, a new wildflower area is proposed to enhance biodiversity and visual interest within the garden. Native species trees will be planted within the existing hedgerows to the north of the site, helping to further soften views from this direction and reinforce the established landscape framework. Existing boundaries and most existing soft landscape features will be retained. There is a protected Beech Tree within the site to the north of the property. The Tree Report accompanying the application confirms that works will be required to the Beech Tree in the form of crown lifting. A magnolia tree which is not protected is to be felled. The Council's Tree officer confirms no objections are offered to the proposals subject to minor changes to the tree protection measures.

- 8.17 This application includes landscaping detail consistent with the tourism lodge permission. This can be secured by condition.

8.18 Heritage:

There are Scheduled Ancient Monuments in the locality of the site, however as the nearest of these is over 1km and given the scale and nature of the development the proposals are not considered to result in an adverse impact to the heritage interests.

8.19 Other Matters

Whilst a Civil matter and not a planning matter the applicant advises that all works affecting the shared boundary with Castle View will be conducted in full compliance with the Party Wall etc. Act 1996. The works will be designed to ensure the structural stability, weatherproofing and long-term integrity of the adjoining property, with all necessary making-good undertaken in accordance with the provisions of the Act. Structural matters relating to the works that affect the party wall and appropriate making good to safeguard its future integrity are Building Regulations matters. Information to clarify the aesthetic works in the interests of residential and visual amenity has been provided and considered as part of this planning application.

- 8.20 The adjoining property will be appropriately protected and made good as part of the proposed works. The shared party wall is a substantial, loadbearing natural stone wall, and all works will be carefully designed to maintain its structural integrity. The exposed wall will be repaired and made good to form a durable external wall to the adjoining property, including the application of a render finish to match the existing appearance of the neighbour's house. The Council's Structural Engineer has considered the proposals and offers no objections.

- 8.21 As noted above, the applicant intends to reside at the tourism lodge temporarily during the construction period, while the main dwelling is unavailable for occupation. This arrangement will be limited to the period reasonably necessary to complete the build, after which the unit will revert to its approved use in accordance with recent Planning Approval 26/0359, Condition 5 which requires the unit to only be occupied for tourism purposes and not as a main residence. The occupation of the unit for a temporary period is not considered to raise any concerns and will remove the need for the siting of a moveable unit or similar to accommodate the applicant whilst the main residence is demolished and rebuilt and can be suitably controlled by condition. A condition restricting a additional temporary structures is considered to be warranted in the interests of the openness of the countryside.
- 8.22 As noted above, concerns have been raised on behalf on the Community Council about the proposed siting of the heat resource pump. However, full details have been provided and Environmental Health confirm no objections are offered.

9. OTHER CONSIDERATIONS

9.1 *Crime and Disorder Act 1998*

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

9.2 *Equality Act 2010*

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

9.3 Having due regard to advancing equality involves:

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

9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

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

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

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

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

10. CONCLUSION

- 10.1 The replacement dwelling is considered to be good quality design and is appropriate within the rural setting and will not result in an adverse impact in terms of visual or neighbouring amenity.
- 10.2 The proposals will not result in an adverse highways or ecological impact and suitable enhancement can be secured by condition.
- 10.3 The application is granted subject to the following conditions.

11. DECISION

GRANTED WITH CONDITIONS

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

Proposed site plan GRO_001 Revision 03,
Landscape Plan GRO_001 Revision 02,
Proposed elevations GRO_017 Revision 01,
Proposed plan GRO_017 Revision 01,
Landscape Plan GRO_001 Revision 01
Arboricultural Impact Assessment,
260402-TG-TPP-Rev G-NB Tree Protection Plan.

GRO_015 Party wall finishes

Preliminary bat roost assessment & Nesting bird survey report 2021-035.

GIS Issue 01 December 2025

ASHP details

Foul Drainage details.

Construction Management Plan Issue 02 and Construction Logistics Plan GRO_001 Revision 01.

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

Pre- commencement conditions

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

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

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

03 No development, to include demolition, shall commence until Tree Protection measures Plan (in accordance with BS 5837:2012) have been implemented as shown in the Tree Protection Plan 25/1223_TG_ TPP-Rev F-NB (as amended) submitted by Project Jack Pine Arboricultural Consultancy. The development shall be carried out in accordance with the approved Tree Protection Plan and Arboricultural Impact Assessment. All construction works will be carried out in the area to the south of the main access and not extend to the garden area to the north without written permission of Local Planning Authority.

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

04 The occupancy of the tourism lodge as a primary residence shall only enure for the benefit of the applicant and for the duration of the demolition of the existing residence and construction of the replacement dwelling. At no time shall both the replacement dwelling and the tourism lodge be occupied as primary residences. Thereafter the tourism lodge shall cease to be occupied as a primary residence and shall only be used and occupied in

accordance with planning permission 26/0359 or such other consent that varies or modifies that permission.

Reason: The long term/permanent change of use of a curtilage building to a self contained dwelling on the site would be unjustified and not acceptable in the open countryside, contrary to Policy SP5, SP1, H10 and H4 of the Newport Local Development Plan.

Pre –occupation conditions

05 No part of the development shall be brought into use until the works to the access have been undertaken in accordance with the approved details. The approved visibility splays shall be kept clear of any obstruction and shall be retained for the lifetime of development.
Reason: To ensure adequate visibility at the junction or site access is made and maintained in the interests of road safety in accordance with Policy GP4 of the NLDP.

06 Prior to first occupation of the replacement dwelling hereby approved, the part of the access extending from the nearside edge of the highway boundary of Bowden's Lane for a minimum distance of 5 metres into the site shall be appropriately paved, in accordance with the approved details. The approved works shall be retained for lifetime of development.
Reason: To prevent loose surface material/debris from being carried on to the public highway thus causing a potential source of danger to other road users in the interests of road safety in accordance with Policy GP4 of the NLDP.

07 Prior to the first occupation of the replacement dwelling hereby approved, the landscaping scheme shall be completed in accordance with the approved details. Thereafter, the trees and shrubs shall be maintained for a period of 5 years from the date of planting in accordance with an agreed management schedule. Any trees or shrubs which die or are damaged shall be replaced and maintained until satisfactorily established. For the purposes of this condition, a full planting season shall mean the period from October to April.
Reason: To secure the satisfactory implementation of the proposal, in accordance with policy GP5.

08 Prior to the first beneficial use of the replacement dwelling as hereby approved, biodiversity enhancement shall be provided in accordance with the approved details and thereafter be retained for lifetime of development.
Reason: To ensure there is adequate biodiversity enhancement in accordance with Policy GP5 of NLDP.

General conditions

09 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order), Schedule 2, Part 1, no development within Classes A, B, C, D, E, F shall be carried out without the prior written permission of the Local Planning Authority.
Reason: To ensure that a satisfactory form of development takes place and to protect the amenities of occupiers of neighbouring properties and the openness of the countryside.

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), Schedule 2, Part 4, no development within Class A shall be carried out without the prior written permission of the Local Planning Authority.
Reason: To ensure that a satisfactory form of development takes place and to protect the openness of the countryside.

11 The external materials of the development as hereby approved shall be in accordance with the approved details .
Reason: To ensure that the development is completed in a manner compatible with its surroundings in accordance with Policy GP5 and GP6 of the NLDP.

12 No first floor windows other than those shown in the approved plans shall be installed in

the southern side elevation of the dwelling as hereby approved.

Reason: In the interests of neighbouring privacy and amenity in accordance with Policy GP2 of the NLDP.

13 Within six months of the demolition works relating to the party wall having commenced, the party wall shall be finished in accordance with drawing number GRO_015 Party wall finishes and retained thereafter.

Reason: To ensure the development is completed in a satisfactory way in accordance with Policies GP2 and GP6 of the NLDP.

14 The foul drainage serving the site shall be permanently retained and maintained in accordance with the approved details.

Reason: To ensure there is adequate foul drainage in accordance with Policy W3 of the NLDP.

15 The development as hereby approved shall be carried out fully in accordance with the approved Construction Management Plan Issue 02 and Construction Logistics Plan GRO_001 Revision 01.

Reason: In the interests of highway safety and neighbouring amenity in accordance with Policies GP2 and GP4 of the NLDP.

NOTE TO APPLICANT

01 This decision relates to plan Nos:

Proposed site plan GRO_001 Revision 02,

Landscape Plan GRO_001 Revision 02,

Existing Access plan GRO_001 Revision 01,

Existing floor plans GRO_015 Revision 01,

Existing elevations GRO_015 Revision 01,

Existing Site plan GRO_001 Revision 01,

GRO_015 Party wall finishes

Tree shade plan 251215-TG-SP-Rev A-NB,

Tree protection plan 251223-TG-TPP-Rev F-NB,

Tree constraints plan 251215-TG-TCP-Rev D-NB,

Landscape Plan GRO_001 Revision 01

Arboricultural Impact Assessment,

Site location plan TQRQM21109103812877,

Arboricultural impact assessment,

Preliminary bat roost assessment & Nesting bird survey report 2021-035.

Design Statement,

GIS Issue 01 December 2025.

CMP Issue 01 January 2025

Email from agent 8/7/26.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP5, GP2, GP4, GP5, GP6, GP7, T4 and H12 were relevant to the determination of this application.

03 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.