

Delegated Decision Report

Application No:	25/0330	Statutory Period Expires:	25th June 2025
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Site:	43 Summerhill Avenue Newport NP19 8FQ		
Proposal:	PARTIAL DISCHARGE OF CONDITION 5 (BIODIVERSITY ENHANCEMENT) OF 24/0287 SINGLE STOREY EXTENSIONS		
Applicant:	L Tyler		
Type:	Discharge Conditions	Ward:	Victoria
Decision:	APPROVED		

1. BACKGROUND

- 1.1 Previously, the site was granted planning permission for a single storey extension with conditions.

2. SITE LOCATION AND CONTEXT

- 2.1 43 Summerhill Avenue is a detached veterinary centre situated in the Victoria ward.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks to discharge Condition 05 (Biodiversity enhancement) of permission 24/0287. The condition states:

Prior to the commencement of development, a scheme of Biodiversity Enhancement Measure(s) and an Implementation Timetable shall be submitted to and approved in writing by the Local Planning Authority. The Biodiversity Enhancement Measure(s) shall thereafter be undertaken in accordance with the approved scheme and Implementation Timetable and retained thereafter for the lifetime of the development.

Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with policy GP5 and policy 9 of Future Wales.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
11/1051	RETENTION OF PORTABLE UNIT FOR USE BY EXISTING VETERINARY CLINIC	GC	08.12.2011
17/0548	TWO STOREY SIDE EXTENSION AND INTERNAL ALTERATIONS TO EXISTING BUILDING	GC	21.09.2017
19/0351	NON MATERIAL AMENDMENT TO PLANNING PERMISSION 17/0548 FOR TWO STOREY SIDE EXTENSION AND INTERNAL ALTERATIONS TO EXISTING BUILDING TO REDUCE SCALE OF EXTENSION.	A	17.04.2019
22/0665	TWO STOREY SIDE EXTENSION AND INTERNAL ALTERATIONS TO EXISTING BUILDING (RESUBMISSION OF 17/0548)	GC	30.09.2022
24/0287	SINGLE STOREY EXTENSIONS	GC	12.07.2024

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)

- GP7 (Environmental Protection and Public Health)
- GP5 (Natural Environment)

5.4 SUPPLEMENTARY PLANNING GUIDANCE NONE

6. CONSULTATION RESPONSES

6.1 Ecology Officer:

The details provided are sufficient to partially discharge condition 5 (Biodiversity enhancements) of 24/0287, subject to implementation in full.

7. PUBLIC REPRESENTATIONS

7.1 None

8. ASSESSMENT

- 8.1 The submission includes a Biodiversity Measures document that details how the applicant will enhance and retain biodiversity by implementing a range of biodiversity enhancements. The Ecology Officer has been consulted on the document and has confirmed no objections to the partial discharge of the condition.

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 information submitted for the partial discharge of condition 05 is acceptable.

11. **DECISION**

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos:

- Bird Box received 30.05.2025
- Bat Box received 30.05.2025
- Proposed Block Plan AG18758 – 2000 Rev G
- Existing Elevations and Location Plan and Block Plans AG18758 – 120 Rev C

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP5 and GP7 were relevant to the determination of this application.

03 As consideration of this request did not raise significant additional environmental matters over and above those previously considered as part of the original application, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.