

Delegated Decision Report

Application No:	25/0591	Statutory Expires:	Period	17th October 2025 Extended
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Site:	<i>Mariners Court East Dock Road Newport NP20 2HN</i>		
Proposal:	EXTERNAL ALTERATIONS TO THE FACADES OF THREE APARTMENT BLOCKS AT MARINER'S COURT, INCLUDING PROPOSED REMOVAL OF DECORATIVE TIMBER RAIL SYSTEM AND REPLACEMENT OF TIMBER WINDOWS IN SUN BOXES WITH UPVC		
Applicant:	Pobl Group		
Type:	Full	Ward:	Pillgwenlly
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site is located within the settlement boundary as defined by the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). There are no constraints showing on the Local Development Plan (LDP) Constraints Map and no proposals showing on the LDP Proposals Map. The site relates to a number of purpose built residential apartment blocks adjacent but outside of the River Usk SAC/SSSI.
- 2.2 The site is partly located within Flood Zone 2 Rivers and Sea and partly within Flood Zone 3 Rivers and Sea of the NRW Flood Map for Planning (FMfP).

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application proposes external alterations to the facades of three apartment blocks. The alterations involve the removal of the decorative timber rail system, which would be replaced with rendered wall insulation, the finish and colour of which would match existing materials used at the site.
- 3.2 It is also proposed to replace the timber framed windows situated within the sun boxes with UPVC framed windows. The fenestration pattern and colour of the new windows is proposed to match that of the existing windows.
- 3.3 It is understood that the removal of the timber rail cladding is required in order to replace a defective External Wall Insulation (EWI) system and that once the defective EWI system has been replaced there will be insufficient strength in the structure to meet the loading requirements of the timber rails. In addition, the Applicant must avoid introducing a new combustible material onto the building. The existing windows have deteriorated over time and are in need of upgrade.

4. RELEVANT SITE HISTORY

Application Number:	Proposal:	Decision:	Decision Date:
08/1292	AFFORDABLE HOUSING DEVELOPMENT OF 101 UNITS	Granted with Conditions	18.12.2008

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.

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)

Policies GP2 (General Amenity), GP5 (Natural Environment) and GP6 (Quality of Design) of the Newport Local Development Plan 2011-2026 (adopted January 2015) are relevant.

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales (NRW): No objections.

7. PUBLIC REPRESENTATIONS

7.1 Neighbour notification letters were sent on 15th August 2025. One letter of objection was received and is summarised as follows:

1. The proposed works will expose residents to chemicals, dust, noise and vibration, making for a poor living environment.
2. The scaffolding required for the works will allow non residents to enter the building.
3. Residents need to be removed from the building if the works are to go ahead.

8. ASSESSMENT

8.1 Principle of Development:

The existing timber cladding forms a design detail appearing on the plans approved under Planning Application 08/1292. The proposals involve external alterations to the facades of three apartment blocks. The works proposed are acceptable in principle.

8.2 Visual Amenity/ Character and Appearance:

8.2.1 It is considered that the removal of the existing timber cladding and rendering of the front elevation of the buildings would materially alter their appearance. Notwithstanding this, the buildings would be finished in white render which would be appropriate in the context of the site and local area and quite typical for the building type.

8.2.2 Whilst the timber cladding does act to break up the buildings' elevations and add visual interest, it is acknowledged that the Applicant seeks to avoid the inclusion of a combustible material on the external elevations of the buildings. It is considered that the resultant outcome of removing the timber cladding and replacing with render would not result in any unacceptable adverse visual impact.

8.2.3 In terms of the replacement windows, they would be reflective of the fenestration pattern and colour of the existing windows, with their replacement resulting in no significant visual change.

8.2.4 Based on the above, the proposals are considered to result in an acceptable impact upon the visual amenity of the host buildings, as well as upon the surrounding urban locality.

8.3 Residential Amenity:

8.3.1 The works affect the external appearance of the application site and would cause no harm to the living conditions of occupiers of the host buildings.

8.3.2 It is acknowledged that an objection has been received from an occupier of one of the flats, however the objections relate to the impact of the building works themselves, which are not material planning considerations.

8.4 Biodiversity:

8.4.1 Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and

green infrastructure assets must be demonstrated. Policy GP5 of the NLDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. It is noted that the application has not been accompanied by a Green Infrastructure Statement, however the plans indicate the incorporation of wall mounted bird nesting boxes. This is considered proportionate to the works proposed and acceptable. As such the proposal would be compliant with the aims of Policy GP5 of the NLDP 2011-2026 (adopted January 2015).

8.4.2 It is noted that NRW have acknowledged that no ecological information has been submitted in support of this application and it has been recommended that advice is sought from the Council's Ecologist regarding the requirement for further information to be submitted in this regard. The Council's Ecologist has advised that the application has been considered in relation to Section 7.0, Figure 4 - '*Checklist for protected/priority Species Surveys*' set out in the Wildlife and Development SPG, which provides the criteria used for deciding when a bat survey is needed. The nature and location of the buildings and the works proposed to them do not suggest that there is a reasonable likelihood of an impact upon roosting bats, so a Bat Survey would not be required. Specifically, the buildings were constructed in around 2009 and do not fit into any of the bat survey criteria as they are less likely to support potential roosting features. However, as the possibility that some bats may be roosting behind facades and window frames which are to be removed exists, a Bat Advisory Note should be attached to any consent granted.

8.5 Other Issues:

8.5.1 The application site is located within Flood Zone 2 Rivers and Sea and partly within Flood Zone 3 Rivers and Sea of the NRW Flood Map for Planning (FMfP). The works proposed are related to the external elevations of the building only and would not alter the flood risk of the site.

8.5.2 NRW have also provided advice in relation to pollution prevention given the proximity of the site to the River Usk and this advice can be included as advisory notes should planning permission be granted.

8.5.3 The objections from the resident are noted, however potential disturbance arising from the proposed works would not form a material planning consideration.

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 proposal would be in keeping with the character and appearance of the apartment buildings and surrounding locality. In addition, the proposal would have an acceptable impact upon residential amenity and biodiversity. It is considered that the proposal complies with the aforementioned policies and is considered acceptable.

11. DECISION

GRANTED WITH CONDITIONS:

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

25040(05)101 - Proposed Overall Site Plan
25040(05)102 - Site Location Plan
25040(05)218 A - Block A - Proposed NE Elevation
25040(05)219 - Block A - Proposed SE Elevation
25040(05)220 - Block A - Proposed SW Elevation
25040(05)221 - Block A - Proposed NW Elevation
25040(05)238 A - Block B - Proposed NE Elevation
25040(05)239 - Block B - Proposed SE Elevation
25040(05)240 - Block B - Proposed SW Elevation
25040(05)241 - Block B - Proposed NW Elevation
25040(05)258 A - Block C - Proposed NE Elevation
25040(05)259 - Block C - Proposed SE Elevation
25040(05)260 - Block C - Proposed SW Elevation
25040(05)261 - Block C - Proposed NW Elevation

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

- (02) The biodiversity enhancement scheme (wall mounted bird nesting boxes) shall be implemented in accordance with the approved plans prior to the first beneficial use of the development hereby approved and retained as such for the lifetime of the development.

Reason: In the interest of protected species, in accordance with Policy 9 of Future Wales and Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

- 01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP5 and GP6 were relevant to the determination of this application.
- 02 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.
- 03 Due to the proximity of the site to the River Usk, all works at the site must be carried out in accordance with 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.
- 04 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](#).
- 05 Bats often roost in houses and other buildings, and work on these buildings may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building in which bats are roosting, Natural Resources Wales (NRW) must be contacted for advice.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Where there is a likelihood that bats are present, or where bats are found to be present, a suitably qualified and experienced ecological consultant should be contracted to provide an assessment of the impact of the proposed works, and undertake bat surveys if necessary.

Where bats or their roosts are present, no works of site clearance, demolition or construction should take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. Otherwise, a prosecution may result.

NRW can be contacted at:

Natural Resources Wales, Tŷ Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000

Bat Conservation Trust can be contacted at:

5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0845 1300228