

Delegated Decision Report

Application No:	26/0430	Statutory Period Expires:	7th August 2026
Site:	<i>Blas Gwent St Peters Crescent Peterstone Wentlooge Cardiff CF3 2TR</i>		
Proposal:	<i>PARTIAL DISCHARGE OF CONDITIONS 2 (CEMP), 5 (WILDFLOWER MIX SCHEME), 6 (BIO DIVERSITY ENHANCEMENT) AND 7 (SOLAR ARRAY DETAILS) OF 24/0772 EXTENSION OF EXISTING POLYTUNNEL, ERECTION OF AN AGRICULTURAL BARN WITH A PHOTOVOLTAIC ARRAY ON THE ROOF AND INSTALLATION OF A SEWAGE TREATMENT SYSTEM</i>		
Applicant:	<i>J Hughes</i>		
Type:	Discharge Conditions	Ward:	Tredegar Park And Marshfield
Decision:	APPROVED		

1. BACKGROUND

- 1.1 The previous application 24/0772 permitted the extension of an existing polytunnel and erection of a barn along with ancillary development in conjunction with the existing agricultural use.

2. SITE LOCATION AND CONTEXT

- 2.1 The site is located north of the sea wall adjacent the Severn Estuary. The B4239 provides vehicular access to the private lane leading to the application site. The site measures approximately 789sqm which is the extent of the whole agricultural unit. The site is currently used for the growing of vegetables. On site lies a polytunnel which received planning consent via application 22/0181.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 Application seeks discharge of conditions 02, 05, 06 and 07 as shown in full below:

2. No development shall take place until a site-specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan and details must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting.

The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison
- Arrangements for liaison with the Newport City Council Noise & Neighbourhood Team
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within permitted hours
- Mitigation measures as defined in BS 5228: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- Measures to mitigate demolition dust and material causing a nuisance to local residents, for example sheeting of loads and wheel washing apparatus.
- No arrival, departure, loading or unloading of construction vehicles, development or construction (including land raising and/or demolition if required) outside of the hours 0800 - 1800 Monday to Friday and 0800 - 1300 hours on Saturdays. There shall be no arrival, departure, loading or unloading of construction vehicles , development or construction (including land raising and/or demolition if required) on Sundays or Bank Holidays.
- Construction methods: details of materials, how waste generated will be managed;
- Biodiversity Management: No development, or phase of development, or activity

including site clearance shall be carried out between two hours either side of high tide to protect wetland birds.

- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.

Reason: To protect the amenities of occupiers of other premises in the vicinity in accordance with Policy GP2 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

5. Prior to the commencement of development, details of the wildflower mix scheme shall be provided and approved in writing by the Local Planning Authority. The scheme shall be undertaken during the first planting season following completion of the development and in accordance with the Wildflower seeding section of the Soft Landscape Management Plan (Received: 23.09.2024) and maintained for the duration of the use.

REASON: To provide onsite biodiversity net gain in accordance with Policy GP5 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

6. Prior to works above damp-proof course level on the barn, a scheme of biodiversity enhancement, to include but not limited to, a Barn Owl box shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details and retained & maintained for the duration of the use.

REASON: To provide onsite biodiversity net gain in accordance with Policy GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

7. Prior to their installation, section details at a scale of 1:20 shall be provided of the solar panel array and agreed in writing by the Local Planning Authority. The panels shall be installed in accordance with the agreed details.

REASON: In the interests of visual amenity in accordance with Policy GP2 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
24/0772	EXTENSION OF EXISTING POLYTUNNEL, ERECTION OF AN AGRICULTURAL BARN WITH A PHOTOVOLTAIC ARRAY ON THE ROOF AND INSTALLATION OF A SEWAGE TREATMENT SYSTEM	Granted with conditions	20.03.2025
23/0713	EXTENSION OF EXISTING POLYTUNNEL, ERECTION OF AGRICULTURAL BARN WITH PV ARRAY ON ROOF AND INSTALLATION OF A SEWERAGE TREATMENT PLANT	Refused	12.06.2024
22/0181	IMPROVEMENT TO GATEWAY, HARDSTANDING AND ERECTION OF POLYTUNNEL ON TEMPORARY FOUNDATIONS	Granted with conditions	09.09.2022

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

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- SP3 – Flood Risk
- SP5 - Countryside
- SP6 – Green Belt
- SP8 – Special Landscape Area
- GP2 – General Amenity
- GP4 – Highways and Accessibility
- GP5 – Natural Environment
- GP6 – Quality of Design
- GP7 – Environmental Protection and Public Health
- CE6 – Archaeology
- CE9 – Coastal Zone
- T4 - Parking
- T8 – All Wales Coastal Path

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- Wildlife and Development
- Trees, Woodland, Hedgerows and Development Sites

6. CONSULTATION RESPONSES

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

Condition 5 (wildflower mix)

We have reviewed the wildflower mix provided by the applicant (email dated 2nd July 2026, Wet Meadow Seed Mix by British Wildflower Seeds) and confirm we are content with this seed mix. We therefore have no objection to the discharge of condition 5 on this basis.

Condition 6 (biodiversity enhancement)

We note the applicant's confirmation (provided under email dated 2nd July 2026) and are supportive of the removal of birch from the proposed tree species list and its replacement with native willow. We therefore have no objection to the discharge of condition 6 on this basis.

6.2 Landscape Architect: No objection.

6.3 Environmental Health Officer: No response.

6.4 Highways Officer: No response.

6.5 Ecology Officer: No response.

7. PUBLIC REPRESENTATIONS

The application was not advertised.

7.1 Wentlooge Community Council:

We take the protection of our environment very seriously especially due to the details below and the area being close to Green Belt and in Green Wedge.

The area of the Wentlooge Levels is open countryside, a designated Site of Special Scientific Interest (SSSI), a Cadw/ICOMOS UK Registered Landscape of Outstanding Historic Interest, an

Archaeologically Sensitive Area, adjacent to the new Wales Coastal Path and to the internationally important RAMSAR site of the Severn Estuary.

The Levels are a Special Landscape Area (SLA) recognised nationally and internationally (NCC LDP Policies SP5 and 8).

Planning Policy Wales (PPW) 10 sets out that “planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity” (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 10 respond to the Section 6 Duty of the Environment (Wales) Act 2016*.

It is important that biodiversity and ecosystem resilience considerations are considered at an early stage in development plan preparation and when proposing or considering development proposals. Planning authorities should be proactive and embed appropriate policies into local development plans to protect against biodiversity loss and secure enhancement. We recognise that the updated application has made efforts to address the biodiversity issues, however, due to the previous overdevelopment of the site and no remedial action following previous refusals, we are wary of the applicant sticking to these plans.

The attributes of ecosystem resilience (PPW para 6.4.9 refers) should be used to assess the current resilience of a site, and this must be maintained and enhanced post development. If this cannot be achieved, permission for the development should be refused.

The area of the Wentlooge Levels has seen a revival in species of recent years which has been helped by the Living Levels project. An example of which has been an increase in the sightings of one of the U.K's rarest bees, the Shrill Carder Bee, a significant rise in the swan population together with many other nesting and migrating birds, water vole, otter and dive beetle just to list a few. The fear is that the wildlife and its habitat will be greatly affected with the loss of environment on such a large scale.

The Wentlooge Community is passionate about the protection of the environment and preventing further harm to that which has already taken place on the Wentlooge Levels.

Wentlooge Community Council has carefully considered the above application and wishes to object to the proposed amendments for the following planning reasons.

The Council's principal concern relates to the proposed amendments to the approved agricultural barn elevations. The revised drawings introduce several significant alterations, including:

- An external industrial-style metal staircase providing access to the upper floor.
- A second-floor east-facing metal security/fire door served by the external staircase.
- The addition of twelve new windows across the building elevations.

Collectively, these amendments substantially alter the external appearance and character of the building previously approved. Rather than retaining the simple, functional appearance expected of an agricultural building, the revised design creates a structure with a far more industrial or commercial appearance. The combination of the external staircase, elevated access door and extensive glazing is not typical of a traditional agricultural barn and represents a material departure from the appearance of the development originally granted planning permission.

The Council is also concerned that the large number of windows gives the building an unnecessarily domestic appearance. Agricultural buildings are generally designed to be functional, with limited glazing required only for operational purposes. The proposed extent of glazing appears excessive for the stated agricultural use and raises legitimate questions regarding whether the design remains consistent with the purpose for which permission was originally granted.

Furthermore, the proposed windows have the potential to create unnecessary light pollution within this sensitive rural location. Light spill from numerous upper-floor windows could adversely affect the character of the surrounding countryside and have an impact on local biodiversity, contrary to the objectives of protecting rural landscapes and ecological interests.

The application also proposes the installation of a sewage treatment system. The Council questions the operational necessity of such infrastructure for an agricultural barn and considers that further justification should be provided to demonstrate why this is required in connection with the approved agricultural use.

Whilst the extension to the existing polytunnel has previously been approved under the original planning permission, the Council remains concerned that the current submission does not appear to adhere closely to the form and character of the development that was originally considered acceptable. The discharge of conditions should not be used to facilitate significant changes to the approved appearance or function of the development without full planning scrutiny.

For these reasons, Wentlooge Community Council is unable to support the application in its current form and respectfully requests that the Local Planning Authority carefully considers whether the proposed amendments remain consistent with the original planning permission and whether the revised design continues to represent an appropriate agricultural development within this rural setting.

8. ASSESSMENT

8.1 Principle of Development:

8.1.1 The comments received from Wentlooge Community Council regarding alterations to the barn elevations has been queried with the agent who has confirmed that those details were submitted in error and subsequently withdrawn from the application. As such, any concerns relating to the appearance of the barn have been suitably addressed. The Community Council's response did not raise any issue/concern relating to the details seeking to be discharged.

8.1.2 Furthermore, the community council raise concern regarding the installation of foul drainage system. Details of the foul drainage system were considered within the full planning application and found to be acceptable. No further details are required by any condition attached to the previous consent regarding foul drainage and the matter has therefore been fully considered and previously approved.

8.2 Discharge of Condition Details

8.2.1 The application seeks to discharge details relating to conditions 2, 5, 6 and 7 of the previous consent 24/0772. For reference the conditions are included in full below:

2. No development shall take place until a site-specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan and details must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting.

The plan should include, but not be limited to:

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- Biodiversity Management: No development, or phase of development, or activity including site clearance shall be carried out between two hours either side of high tide to protect wetland birds.
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
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Reason: To protect the amenities of occupiers of other premises in the vicinity in accordance with Policy GP2 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

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REASON: To provide onsite biodiversity net gain in accordance with Policy GP5 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

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7. Prior to their installation, section details at a scale of 1:20 shall be provided of the solar panel array and agreed in writing by the Local Planning Authority. The panels shall be installed in accordance with the agreed details.

REASON: In the interests of visual amenity in accordance with Policy GP2 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

- 8.2.2 The submitted Construction Environment Management Plan (CEMP) contains sufficient information to address all points within condition 02. No objections have been received from any consultees and is therefore considered acceptable.
- 8.2.3 Amended details have been submitted regarding the wildflower mix which has now received no objection from Natural Resources Wales. Therefore, the condition is hereby discharged.
- 8.2.4 The application is supported by a scheme of biodiversity enhancements including an owl box, wildflower and hedgerow planting, a wildlife pond and management measures for Shril Carder Bees and grass snakes. The measures proposed have received no comments from the Ecology Officer and are therefore considered acceptable.
- 8.2.5 Details are included of the solar array showing the panels shall not project more than 150mm from the roof plane resulting in a low profile. The details are therefore considered acceptable and ensure the solar panels do not significantly protrude from the roof plane.

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 submitted details are considered acceptable and the conditions are hereby discharged.

11. **DECISION
APPROVE**

01 In so far as the application relates to CONDITION 02, the application is approved.

02 In so far as the application relates to CONDITION 05, the application is approved.

03 In so far as the application relates to CONDITION 06, the application is approved.

04 In so far as the application relates to CONDITION 07, the application is approved.

NOTE TO APPLICANT

01 This decision relates to plan Nos:

- Wet Meadow Seed Mix Details (Received: 08.07.2026)
- Biodiversity Enhancement Scheme (Received: 09.06.2026)
- Construction Environment Management Plan (Received: 09.06.2026)

- Solar Array Installation Section Details (Received: 09.06.2026)
- Site Location Plan (Received: 09.06.2026)

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2 and GP5 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.