

Delegated Decision Report

Application No:	25/0689	Statutory Period Expires:	18th November 2025
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Site:	<i>Land West Of 1 Kings Wall Drive Newport South Wales</i>		
Proposal:	<i>PARTIAL DISCHARGE OF CONDITION 3 (BALCONY SCREEN) OF 24/0782/RM FOR PROPOSED RETAIL STORE, NURSERY (D1) AND 3NO. COMMERCIAL UNITS AND ASSOCIATED WORKS AND PARTIAL DISCHARGE OF VARIOUS CONDITIONS ALL PURSUANT TO OUTLINE PLANNING PERMISSION 06/0471 FOR REDEVELOPMENT OF SITE TO CREATE A MIXED USE URBAN EXTENSION</i>		
Applicant:	<i>Lidl Great Britain Limited</i>		
Type:	Discharge Conditions	Ward:	Llanwern
Decision:	Approved		

1. BACKGROUND

- 1.1 The applicant is seeking the partial discharge of Condition 3 (Balcony Screen) of Reserved Matters approval 24/0782 for a proposed retail store, nursery (D1) and 3no. commercial units and associated works. That condition reads as follows:

Balcony Screen: Prior to the first use of the approved balcony on the nursery building a scheme showing the details of a privacy screen on the northeastern elevation of that balcony shall be provided in writing to the Local Planning Authority. Following the LPA's written agreement the balcony shall be installed as agreed prior to the first use of the balcony and shall be retained as approved.

Reason: to protect the privacy and amenity of neighbouring occupiers. Policy GP4.

2. SITE LOCATION AND CONTEXT

- 2.1 The site is within the allocated Local Centre on Glan Llyn. It is currently undeveloped having been subject to works of remediation and having been partly in use as a construction compound by St Modwen's Homes

3. DESCRIPTION OF DEVELOPMENT

- 3.1 See Paragraph 1.1.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision & Date
06/0471/O	REDEVELOPMENT OF SITE TO CREATE A MIXED USE URBAN EXTENSION COMPRISING: A RANGE OF NEW HOMES (APARTMENTS, HOUSES AND SOME SHELTERED ACCOMMODATION FOR THE ELDERLY - USE CLASSES C2&C3); NEW OFFICES, WORKSHOPS, FACTORIES AND WAREHOUSES (USE CLASSES B1,	01 April 2010

	B2&B8); COMMUNITY FACILITIES INCLUDING NEW SCHOOLS AND COMMUNITY CENTRES (USE CLASSES D1&D2); A LOCAL CENTRE INCORPORATING SHOPS, OFFICES AND COMMERCIAL LEISURE FACILITIES INCLUDING NEW BARS, CAFES AND LICENSED PREMISES (USE CLASSES A1, A2, A3&D2); A NETWORK OF OPEN SPACES INCLUDING PARKLAND, FOOTPATHS, SPORTS PITCHES AND AREAS FOR INFORMAL RECREATION; NEW ROADS, ACCESSES AND PATHS; HEALTHCARE AND FITNESS FACILITIES (USE CLASSES D1&D2); PROVISION FOR A NEW RAILWAY HALT/STATION; OTHER ANCILLARY USES AND ACTIVITIES; AND REQUIRING: SITE CLEARANCE, TREATMENT AND PREPARATION; THE INSTALLATION OF NEW SERVICES AND INFRASTRUCTURE; THE CREATION OF NEW WATER BODIES AND DRAINAGE CHANNELS; IMPROVEMENTS/WORKS TO THE HIGHWAYS NETWORK AND OTHER ANCILLARY WORKS AND ACTIVITIES	
24/0782/RM	RESERVED MATTERS (CONDITION 01) FOR PROPOSED RETAIL STORE, NURSERY (D1) AND 3NO. COMMERCIAL UNITS AND ASSOCIATED WORKS IN LOCAL CENTRE AND PARTIAL DISCHARGE OF CONDITIONS 07 (LANDSCAPING), 08 (MATERIALS/FINISHES TO EXTERNAL SURFACES), 9 (MATERIALS/FINISHES FOR HARD LANDSCAPED AREAS), 10 (BOUNDARY TREATMENTS), 12 (PARKING), 15 (EMERGENCY ACCESS), 16 (ROADS, CYCLEWAYS AND FOOTWAYS), 17 (GREEN TRAVEL STRATEGY), 19 (NOISE ASSESSMENT), 22 (LIGHTING), 23 (ECOLOGICAL MANAGEMENT PLAN), 24 (SITE LEVELS), 27 (GROUND CONDITIONS), 28 PART 1 ONLY (VERIFICATION REPORT), 32 (PILING WORKS), 33 (SURFACE WATER), 34 (FOUL AND SURFACE WATER DRAINAGE AND STORAGE) AND 39 (CARBON REDUCTION STRATEGY) RELATING TO OUTLINE PLANNING PERMISSION 06/0471 FOR REDEVELOPMENT OF SITE TO CREATE A MIXED USE URBAN EXTENSION	01 July 2025

5. PLANNING POLICY

5.1 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

GP2 – Amenity
GP6 - Design

5.4 SUPPLEMENTARY PLANNING GUIDANCE

None.

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

- 8.1 The applicant has provided drawings of a privacy scheme that would screen off the proposed balcony and suitably limit views from that balcony towards the nearest dwellings. This is considered sufficient to protect the amenity of those dwellings.
- 8.2 In terms of appearance the screen will be of semi-transparent glass which will be obscured minimally to Level 3 of the Pilkington's Scale of obscuration. Although not an official standard this scale has been commonly used, including by Planning Inspectors to describe the degree of obscuration in glass and that scale can be relied upon here.
- 8.3 The level of obscuration is sufficient to protect neighbouring amenity and the details comply with Policies GP2 and GP6 being of sufficient obscuration and appropriate design in context. The details can be approved.

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 acceptable and Policies GP2 (Amenity) and GP6 (Design) are complied with. The condition can be discharged in part.

11. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos:

- Drawing 3211 P230 G - Nursery Front and Rear Elevations
- Drawing 3211 P231 H - Nursery Side Elevations
- Drawing 3211 P403 B - Site Location Plan
- Email from Clodagh Macken 30.10.2025 17:27

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2 & GP6 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.