

Notice of Decision



L Griffiths
Asbri Planning Ltd.
Unit 9
Oak Tree Court
Cardiff Gate Business Park
Cardiff
CF23 8RS

SECTION 96A OF THE TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **24/0229**

Application Type: **Non-Material Amendment**

Proposal: **NON MATERIAL AMENDMENT APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) AND 29 (HARD SURFACES) OF 18/0293 DEVELOPMENT OF 195 NO. RESIDENTIAL UNITS, INTERNAL ROAD NETWORKS, PARKING, LANDSCAPING AND ASSOCIATED WORKS AFFECTING PUBLIC RIGHT OF WAY 407/1. AMENDMENTS INCLUDE ADDITION OF KING POST RETAINING WALL AND ALTERATIONS TO SURFACE FINISHES.**

Site/Location: **Land To South Of Glan Usk Primary School, Herbert Road, Newport, South Wales,**

Decision Date: **22nd August 2024**

In pursuance of its powers under the above Act the Council of the City of Newport notifies you of its decision in respect of your application, registered by them on 19th March 2024. The application has been:-

Approved & Conditions

Conditions:

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

- Drawing 1839 EN-01 R – External Enclosures
- Drawing 1839 PRL-01 U – Production Layout
- Drawing 1795 103 F – Engineering Layout Complete Phase Plan (other than as amended by Drawing 1795 201 T)
- Drawing 1795 201 T – Engineering Layout Phase 2B

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 Hard surfaces shall be provided as per drawing 1839 PRL-01 U Production Layout other than as amended by information provided to discharge other conditions of this permission.

Reason: to ensure the development is completed using appropriate materials.

03 The knee rail shown in Drawing 1795 201 T – Engineering Layout Phase 2B shall be provided as shown at the same time as the Kingpost retaining wall and shall be retained thereafter.

Reason: to prevent vehicles bumping the kerb and placing excessive loading on the wall.

NOTE TO APPLICANT

This decision must be read in conjunction with planning permission 18/0293 and the development shall be carried out fully in accordance with the proposals shown in the application and in the plans and particulars accompanying such application as varied and amended by this

permission.

The plans have been assessed on the basis of the scale or dimensions stipulated and any statement of 'do not scale' (or similar) has been disregarded.

1. This decision relates to the following unconditioned plans & documents:
 - o Drawing 3073 (04) 001 B - Site Location.
2. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies GP2, GP6 & T3 were relevant to the determination of this application.
3. 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.
4. It is considered that the decision has been made in conformity with the Marine Policy Statement (2011) and in accordance with marine national planning policy contained within the Welsh National Marine Plan (2019) as demonstrated in the assessment of this proposal.
5. This approval should be read in conjunction with those cited at Paragraph 4 of the relevant Officer Report since those decisions and their associated plans remain relevant and enforceable to the development approved under this submission.
6. This decision only relates to the changes to the road surfacing and road grading as shown in Drawing PRL-01 and to the change to the retaining wall structure adjacent to Plots 48 and 195 shown in Drawing EN-01. Any other changes shown in these drawings have not been considered and have not been approved.

Signed on behalf of the Council



Newport City Council
Regeneration and Economic Development
Civic Centre
Newport
South Wales
NP20 4UR

Tracey Brooks Bsc Hons Dip TP MRTPI ILM
Pennaeth Adfywio a Datblygu Economaidd / Head of Regeneration and Economic Development
Cyngor Dinas Casnewydd / Newport City Council

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IMPORTANT! PLEASE READ THE NOTES ON THE REVERSE OF THIS FORM

Notes for Applicants

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Appeals to the Welsh Government

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission or grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act (as amended).
- Appeals must be made within a prescribed time period that is dependent on the application type. These time periods along with further information on the appeals process are available here and should be checked immediately: [Planning appeals | Sub-topic | GOV.WALES](#)
- Appeals in respect of:
 - Householder and 'minor commercial' development must be received within 12 weeks from the date of the decision notice;
 - Advertisement consent applications must be received within 8 weeks from the date of the decision notice; and,
 - Other types of planning application must be received within 6 months from the date of the decision notice.

Appeal forms can be downloaded at Planning Casework (gov.wales) or are obtainable from Planning and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ, email PEDW.Casework@gov.wales

- The Welsh Ministers can allow a longer period for giving notice of an appeal, but are not normally prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Welsh Ministers do not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices

- If either the Local Planning Authority or the Welsh Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).