

Notice of Decision



J Wilks,
Asbri Planning
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Cardiff Gate Business Park
Cardiff
CF23 8RS

**TOWN AND COUNTRY PLANNING ACT 1990 [as amended]
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)(WALES) ORDER 2012 [as amended]**

Application No: 15/0257
Application Type: Discharge Conditions
Proposal: PARTIAL DISCHARGE OF CONDITION 16 (WORKING METHOD STATEMENT AND CODE OF CONSTRUCTION PRACTICE) OF PLANNING PERMISSION 00/0768/o FOR A REPLACEMENT PRIMARY SCHOOL AND RESIDENTIAL DEVELOPMENT
Site/Location: Land To South Of And Including Glebelands Stadium, Bank Street, Newport
Decision Date: 15-Sep-2016

In pursuance of its powers under the above legislation the Council of the City of Newport notifies you of its decision in respect of your application, registered by them on 02-Mar-2015. The application has been:-

Refused

The submitted information is insufficient and does not demonstrate that the re-en on the development site and the River Usk SAC will be protected from pollution derived from the proposed works. The proposal is therefore contrary to policies SP9 and GP5 of the Newport Local Development Plan 2011-2016 (adopted January 2015).

NOTE TO APPLICANT

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 plan Nos: Construction Method Statement, March 20014, Rev A; Project Environmental Impact Assessment, dated 06/08/13; Appendix A, a Traffic Management Plan, undated; Project Risk Assessment, March 2014, Rev A.
2. The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP9 and GP5 were relevant to the determination of this application.
3. 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.

Signed on behalf of the Council

Newport City Council
Regeneration, Investment and Housing
Civic Centre
NEWPORT
South Wales
NP20 4UR

Tracey Brooks Bsc Hons Dip TP MRTPI
Rheolwr Datblygu ac Adfywio Dros Dro / Interim Development and Regeneration Manager
Adfywio, Buddsoddi a Thai / Regeneration Investment & Housing
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

Appeals to the Welsh Government

If you are aggrieved by the decision of your Local Planning Authority to refuse an application or to grant it subject to conditions, you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice. However, if you are appealing against a decision relating to a householder or minor commercial development the time limit for lodging the appeal is 12 weeks.

Appeals must be made using a form which you can get from the Welsh Government, Planning Inspectorate at Crown Buildings, Cathays Park, Cardiff CF10 3NQ, or online at www.planningportal.gov.uk/pcs

The Welsh Government can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Welsh Government will not consider an appeal if it seems that the Local Planning Authority could not have granted permission for the proposed development or could not have granted it without the condition 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 Government does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by them.

The Choice of Appeal Procedure

The appeal procedures available are:

- a) by written representations which you and the Local Planning Authority make, normally followed by an unaccompanied site inspection
- b) by Hearing, when both parties make oral representations to an Inspector appointed by the Welsh Government. A Hearing is conducted on a less formal basis than a Public Inquiry.
- c) by Public Inquiry which takes the form of a formal hearing by an Inspector appointed by the Welsh Government.

Purchase Notices

If either the Local Planning Authority or the Welsh Government refused planning permission or listed building consent or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial 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 local planning authority in whose area the land is situated.

This Notice will require the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990. (The Local Planning Authority may accept the notice and proceed to acquire the land; or reject the notice in which case they must refer the notice to the Welsh Government.)