

Delegated Decision Report

Application No:	26/0023	Statutory Period Expires:	10th August 2026
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Site:	<i>Crown Buildings 11 Chepstow Road Newport South Wales NP19 8BQ</i>		
Proposal:	<i>PARTIAL DISCHARGE OF CONDITIONS 3 (WASTE MANAGEMENT PLAN), 4 (TRAVEL PLAN), 5 (FLOOD EVACUATION PLAN), 8 (MECHANICAL VENTILATION), 9 (CHARGING POINTS), 10 (SECURE MOTORCYCLE STORAGE) & 11 (PROVISION OF ROOF GARDEN) OF PLANNING PERMISSION 18/0802 CONVERSION OF OFFICE BUILDING TO 56NO. FLATS, PROVISION OF ROOF-TOP GARDEN AND USE OF GROUND FLOOR FOR ANCILLARY GYMNASIUM AND STORAGE AREA</i>		
Applicant:	<i>M Rashid</i>		
Type:	Discharge Conditions	Ward:	Victoria
Decision:	PART APPROVED/PART REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site is located on the junction of Chepstow Road and Caerleon Road on the edge of Clarence Place. The building is a 1960s era office block clad in cream coloured material with blue glass windows. The main part of the building is 8 storeys high and there is a rear annex of 4 storeys. The site has entrances on Chepstow Road and Caerleon Road.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks to partially discharge conditions 3 (Waste Management Plan), 4 (Travel Plan), 5 (Flood Evacuation Plan), 8 (Mechanical Ventilation), 9 (Charging Points), 10 (Secure Motorcycle Storage) & 11 (Provision of Roof Garden) of planning permission 18/0802 conversion of office building to 56no. flats, provision of roof-top garden and use of ground floor for ancillary gymnasium and storage area

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
18/0802	CONVERSION OF OFFICE BUILDING TO 56NO. FLATS, PROVISION OF ROOF-TOP GARDEN AND USE OF GROUND FLOOR FOR ANCILLARY GYMNASIUM AND STORAGE AREA	GRANTED WITH CONDITIONS	03/07/2019
18/0971	CHANGE OF USE FROM OFFICES (B1 USE) TO HOTEL (C1 USE) AND FIFTH FLOOR EXTENSION TO CREATE RESTAURANT	GRANTED WITH CONDITIONS	24/01/2019

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.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

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.

6. CONSULTATION RESPONSES

6.1 Active Travel: Final Comments; After reviewing all the resubmitted Travel Plan and supplementary email, I would be happy to discharge this condition. The issue of cycle parking numbers has still not been addressed though. According to the Council's Sustainable Travel Supplementary Planning Guidance, we would request 1 secure cycle space per 2 bedrooms plus 1 short stay (obvious, easily accessed and close to destination) space per 20 bedrooms for visitors. At present only 20 spaces have been suggested. It should also be noted that the gymnasium would also require cycle parking provision should it be open for public use, again, in line with the aforementioned guidance.

6.2 Highways: Final Comments; Condition 3 (Waste Management Plan); This shows a small vehicle and a difficult manoeuvre. Condition 9 (Charging Points); With respect to EV chargers, we would now recommend partial discharge in so far as the scheme is approved but remains to be provided. Condition 10 (Secure Motorcycle Storage); No detail to show what they actually are.

6.3 Flood Risk: Final Comments; Regarding the information for the Flood Evacuation Plan, the information is sufficient for the discharge of the condition.

6.4 Natural Resources Wales: Thank you for consulting Natural Resources Wales on the above Discharge of Conditions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 of planning permission 18/0802. We did not request these conditions and therefore have no comments to make.

6.5 Waste: We would anticipate that the development requires the following

For recycling

6 x 1100 litre bins for cans plastic and paper and card

3 x 660 litre bins for glass

3 x 240 litre bins bin for food waste

For General waste:

6 x 1100L euro bins required for general waste

We note the presence of a bin store - bin stores should be large enough to accommodate bins as well as allow for manoeuvrability.

6.6 Environmental Health: No comments received.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

8.1 Condition 3 (Waste Management Plan) states;

Notwithstanding the submitted details prior to the first occupation of the approved flats a scheme for the storage of waste and recyclable materials on the site shall be submitted to the Council in writing. The scheme shall have regard to the Council's recommendations for the required storage and show that the store can be suitably accessed by the Council's bin collection service. Following the Council's written agreement the scheme shall be implemented and maintained as agreed prior to the first occupation of the building. Reason: to ensure the site can be appropriately serviced. Policy W3.

- 8.2 The proposed bin store area is as shown on the approved plans, at ground floor, and would measure 13m². A swept path analysis has been provided as well as the supporting text below.

2. Refuse Vehicle Access and Servicing

Suitable access for Newport City Council's waste collection service has been established as part of the approved development:

- **Vehicle Access:** A swept path analysis previously submitted and approved demonstrates that a refuse collection vehicle can safely enter the site, access the designated servicing point adjacent to the bin store, utilise the turning head, and exit the site in a forward gear.
- **Collection Arrangements:** Bins will be presented from the bin store to the agreed servicing location at the time of collection, at a point immediately accessible to the refuse vehicle
- **Collection Distance:** The bin store is positioned such that bins can be brought to the servicing point via a clear and convenient route, ensuring that handling distances are minimal and within accepted operational practice
- **Surface and Levels:** The route between the bin store and collection point is level, unobstructed, and finished in a suitable hard-standing surface, with no steps or significant gradients.
- **Store Access:** The bin store is accessed via doors/gates designed to allow clear and unobstructed movement of containers during collection.

These arrangements ensure that the bin store can be suitably accessed and serviced by the Council's collection team in accordance with Policy W3.

3. Waste Segregation and Container Provision

The development incorporates provision for the segregation of waste into the following streams:

- Residual (general) waste
- Dry mixed recyclables (including paper/card, plastics and metals)
- Glass recycling
- Food waste

Appropriate containers for each waste stream will be provided in accordance with the Council's requirements and will be accommodated within the approved bin store area.

The internal layout of the bin store will allow containers to be arranged in a manner that ensures:

- Safe and practical access for residents
- Clear identification of waste streams
- Efficient collection and handling by operatives

4. Management and Operation

A site management regime will be implemented prior to first occupation and maintained thereafter by the appointed Property Management Company. This will ensure that:

1. The bin store is kept secure, clean, and free from obstruction or loose waste
2. Containers are stored and managed within the designated area
3. Waste is presented for collection in accordance with the Council's collection schedule
4. Any operational issues are monitored and addressed as part of ongoing site management

With regard to the swept analysis, the Council's Highways Officer has advised that it shows a small vehicle and a difficult manoeuvre which wouldn't work. The Officer would expect to see a larger vehicle reversing in. Notwithstanding this, the Officer advises that the site would be accessible and doesn't raise an objection. The location of the bin store area is appropriately sited for collection services.

The Council's Waste Team have advised that the development must provide the following;

For recycling

6 x 1100 litre bins for cans plastic and paper and card

3 x 660 litre bins for glass

3 x 240 litre bins bin for food waste

For General waste:

6 x 1100L euro bins required for general waste

The plans provided do not show that the above bin requirement can be accommodated. As well as this, the door that would be used to access the bin store isn't wide enough for the bins to be taken through.

- 8.3 Condition 4 (Travel Plan) states;

Prior to the first occupation of any flat hereby approved a Travel Plan shall be submitted to and approved by the Local Planning Authority. The Travel Plan shall be implemented as approved. Reason: To ensure the efficient function of the site, to avoid any adverse impacts on the local highways and to promote sustainable transport. Policy SP1 & SP15.

- 8.4 The Council's Active Travel Officer has confirmed that the resubmitted Travel Plan and supplementary email are acceptable and the Officer supports partial discharge of this condition. It is therefore recommended that condition 4 is partially discharged.

The Officer has raised concerns regarding the number of cycle parking numbers however this is covered in a condition that does not form part of this application and is not therefore being considered.

- 8.5 Condition 5 (Flood Evacuation Plan) states;

Prior to the first occupation of any flat a Flood Management & Evacuation Plan shall be submitted to the Council in writing. Following the Council's written agreement the plan shall be implemented fully as agreed in the event of a flood or flood warning following the occupation of any flat. Reason: to minimise the flood risk on the site. Policies SP3, GP1 & GP7.

- 8.6 The Council's Flood Risk Officer had initially raised concerns with the submitted details and advised that the application clarify the location of refuge for the residents during emergency as well as specify the lead point of contact. An updated Flood Evacuation Plan was submitted and the Officer confirmed that this was sufficient to partially discharge the condition.

- 8.8 Condition 8 (Mechanical Ventilation) states;

Prior to occupation of the flats hereby approved a scheme providing for the mechanical ventilation of all those flats shall be provided in writing to the Council. Following the Council's written agreement the mechanical ventilation shall be installed as agreed prior to the occupation of any flat and retained thereafter. Reason: to protect residential amenity. Policies GP2 & GP7.

- 8.9 The details provided state that all habitable windows will be served by openable windows. As well as this mechanical extract ventilation will be provided by individual extractor fans in kitchens, utility rooms, bathrooms and WC. Environmental Health have not provided comments. However, it is considered that the details provided are acceptable and meet the condition requirements. It is therefore recommended that the condition is partially discharged. It is also worth noting that this would also be covered through Building Regulations.

- 8.10 Condition 9 (Charging Points) states;

Prior to the occupation of the flats a scheme to provide for the provision of electrical charging points for electric vehicles and the capacity to provide such charging points in the future to any spaces not to be provided with charging points in the first instance shall be provided in writing to the Council. Following the Council's written agreement the scheme shall be provided as agreed prior to the first occupation of any flat approved and shall be retained thereafter. Reason: in the interests of sustainability and reducing any adverse impact on the Caerleon Road / Chepstow Road Air Quality Management Area. Policies SP1 & GP7.

- 8.11 Initially the Council's Highways Officer raised concerns with the submitted details as the submission was a description of partial provision with no plans or sufficient detail. Amended details were provided in relation to charging points and the Council's Highways Officer confirmed that they recommend partial discharge.

- 8.12 Condition 10 (Secure Motorcycle Storage) states;

Prior to the first use of the proposed motorcycle storage a scheme to provide security / antitheft provisions to that motorcycle storage shall be provided in writing to the Council. Following the Council's written agreement the scheme shall be implemented as agreed prior to the first use of the storage. The storage shall be provided as agreed prior to the first occupation of any flat and retained thereafter. Reason: to ensure the motorcycle storage is usable and is provided in the interests of parking and encouraging small vehicles that reduce pollution and congestion and to reduce the risk of theft. Policy SP1.

- 8.13 A written statement has been provided to state that the following security features will be provided; secure anchoring points, CCTV coverage, passive surveillance and lighting. Notwithstanding this, the specific details of each and the siting on a plan have not been provided. It is therefore considered that security/antitheft provision have not been sufficiently demonstrated and the condition cannot be discharged at this time.

- 8.14 Condition 11 (Provision of Roof Garden) states;

Prior to the provision of the roof garden details of how it will be set out, maintained and managed shall be provided in writing to the Council. After the Council's written agreement the garden will be set out and managed as agreed. The roof garden shall be provided prior to the occupation of any flat on the fifth floor of the building and retained for the use of residents thereafter. Details of any additional means of enclosure around the garden shall be provided as part of the details of the garden and shall be installed as agreed prior to its first use and retained thereafter. Reason: to provide outdoor amenity space for the use of residents. Policy GP2.

- 8.15 Supporting information provided with the application states that the floor of the roof garden will be finished with artificial grass. It also states that a total of 3no fixed benches will be provided. They will be securely fixed and be positioned away from the perimeter edge. The existing 1.2m high parapet wall that extends around the perimeter of the roof will remain and act as the means of enclosure for the roof garden. Regarding management, the supporting information states that the roof garden will be managed by the building's management company. Management responsibilities will include; monitoring usage; maintaining access routes; ensuring safe behaviour and preventing misuse of the parapet edge or fixtures. Maintenance will include regular inspection of artificial grass surface, seating and fixings, parapet wall condition; cleaning and upkeep of the area to ensure it remains safe and usable' prompt repair or replacement of any damaged elements and ongoing monitoring to ensure the space remains fit for purpose.

Notwithstanding the above, the roof garden shown on the submitted plans is smaller than that approved. Whilst the supportive text states that the roof garden will be implemented in accordance with approved drawings and that there is no reduction in area, the drawings don't support this. The approved roof garden measured 236m² (approx.13m x 18.15m) however the submitted plans show 172m² (approx.10.7m x 16.05m). For this reason, condition 11 cannot be discharged at this time.

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 details provided to partially discharge conditions 4 (Travel Plan), 5 (Flood Evacuation Plan), 8 (Mechanical Ventilation) and 9 (Charging Points) are considered to be acceptable. Therefore, conditions 4, 5, 8 and 9 can be partially discharged.
- 10.2 Inadequate information has been provided to partially discharge conditions 3 (Waste Management Plan), 10 (Secure Motorcycle Storage) and 11 (Provision of Roof Garden) and therefore, the application is refused in relation to these conditions.

11. DECISION

PART APPROVED/ PART REFUSED

01 Insofar as the application relates to the partial discharge of conditions 4 (Travel Plan), 5 (Flood Evacuation Plan), 8 (Mechanical Ventilation) and 9 (Charging Points), the partial discharge of these conditions is approved.

02 Insofar as the application relates to the partial discharge of conditions 3 (Waste Management Plan), 10 (Secure Motorcycle Storage) and 11 (Provision of Roof Garden), the application is refused. The details provided are insufficient, inconsistent and/or unsatisfactory.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Swept Path Analysis Refuse Vehicle Drawing No.001 Rev A01, Waste Management Scheme Received 15/06/2026, Provision of Motorcycle Parking Received 15/06/2026, Ground Floor Plan as Proposed Drawing No.P551 L_200 Rev B, Provision of Roof Garden Received 09/06/2026, Flood Warning Management and Evacuation Plan (FWEP), Provision of Electric Vehicle Charging Points, EV Charging Email Dated 7th April 2026, Travel Plan, Location Plan Drawing No.P551 L_001 Rev A and Mechanical Ventilation Scheme Statement.

02 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.