

Delegated Decision Report

Application No:	25/0258	Statutory Period Expires:	28th May 2025
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Site:	<i>Robinwood Belmont Hill Caerleon Newport NP18 1JX</i>		
Proposal:	<i>PARTIAL DISCHARGE OF CONDITION 5 (LANDSCAPING) (PART A) OF 23/1092 PROPOSED ALTERATIONS TO EXISTING DRIVEWAY TO INCLUDE CONSTRUCTION OF A 1.99M RETAINING WALL FOLLOWING LAND SLIP, WIDENING OF DRIVEWAY AT ENTRANCE AND LOWERING OF STONE WALL ADJACENT TO THE HIGHWAY DUE TO DANGEROUS LEAN TOWARDS ROAD CREATING INCREASED VISIBILITY AND SAFETY FOR INGRESS AND EGRESS (PART RETROSPECTIVE)</i>		
Applicant:	<i>M Fouweather</i>		
Type:	Discharge Conditions	Ward:	Caerleon
Decision:	APPROVED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 This application relates to Robinwood, Belmont Hill, Caerleon.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks to partially discharge condition 5 (landscaping) (part a only) of 23/1092 which states:

The scheme of landscaping hereby approved (ref: Robinwood Caerleon Planting Plan 2399601 rev A) shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the date of this permission. Thereafter the trees, grasses and shrubs shall be maintained for a period of 5 years from the date of planting and any which die or are damaged shall be replaced and maintained until satisfactorily established. The monitoring and remediation of the landscape mitigation planting during the 5 years establishment phase is to be confirmed by:

a)A short report with photo evidence by the landscape consultant to be submitted to Newport City Council immediately following the completion of the landscape scheme and showing the site before and after planting, seeding, fencing has been undertaken, and to confirm this is all in line with the approved documents eg. plant species, plant size, planting operations etc; and

b)A short annual report with photo evidence by the landscape consultant to Newport City Council submitted by 31st December for each year of the five year establishment period summarising any issues with planting or seeding, any replacement planting required and the timetable for replacements.

The planting season shall mean the period of October to April inclusive.

Reason: To secure the satisfactory implementation and maintenance of the soft landscape scheme in the interests of residential and visual amenity and rural character having regard to policies SP5, GP2 and GP6 of the adopted Newport Local Development Plan.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision
23/1092	PROPOSED ALTERATIONS TO EXISTING DRIVEWAY TO INCLUDE CONSTRUCTION OF A 1.99M RETAINING WALL FOLLOWING LAND	GRANTED WITH CONDITIONS

	SLIP, WIDENING OF DRIVEWAY AT ENTRANCE AND LOWERING OF STONE WALL ADJACENT TO THE HIGHWAY DUE TO DANGEROUS LEAN TOWARDS ROAD CREATING INCREASED VISIBILITY AND SAFETY FOR INGRESS AND EGRESS (PART RETROSPECTIVE)	
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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.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policies SP9 and GP5 are relevant to the determination of this application.

6. CONSULTATION RESPONSES

6.1 LANDSCAPE OFFICER: No objections.

7. PUBLIC REPRESENTATIONS

7.1 None.

8. ASSESSMENT

8.1 The following information has been submitted to discharge part a) of condition 5 of 23/1092:

- Robinwood Landscape Report (received 02/04/2025)

The Landscape Officer has reviewed the submitted information and advised that it is sufficient to discharge part a) of condition 5.

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 information is sufficient to discharge part a) of condition 5.

11. **DECISION**

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan 01B and Robinwood Landscape Report (received 02/04/2025).

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). No Policies 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.