

Notice of Decision



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Reading Agricultural Consultants Ltd
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RG8 0RR

SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0150**

Application Type: **Renewals and Variation of Conditions**

Proposal: **S73 APPLICATION TO VARY CONDITION 2 (APPROVED PLANS) OF 23/1058 OUTLINE APPLICATION FOR A RURAL ENTERPRISE WORKER'S DWELLING (ALL MATTERS RESERVED). AMENDMENTS INCLUDE UPDATED FCA AND LEVELS**

Site/Location: **Llanfair Farm, Church Lane, Marshfield, Cardiff, CF3 2UF**

Decision Date: **19th June 2025**

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 28th February 2025. The application has been:-

Granted with Conditions

1. Approval of the details of the layout, scale, appearance of the building(s), access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority.
Reason: To safeguard the rights of control of the Local Planning Authority in respect of the reserved matters and to comply with the provisions of Article 3(1) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.
2. The development shall be implemented in accordance with the following plans and documents:
Site location plan July 2024
Supporting Agricultural Appraisal November 2023 by Reading Agricultural
Preliminary Ecological Appraisal by Ashley Butler dated 23 October 2023
Written Scheme of Historic Environmental Mitigation January 2024 by Cardiff Archaeological Consultants
Flood Consequence Assessment January 2025 by Vale Consultancy 18894 - FCA - 02
Drainage Strategy and Water Quality Assessment February 2024.
Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.
3. In pursuance of reserved matters relating to layout, details of car parking arrangements shall be provided in accordance with the Council Supplementary Planning Guidance on Parking Standards.
Reason: in the interests of highway safety.
4. In pursuance of reserved matters relating to scale, details of the proposed dwelling shall accord with the outline parameters stated in this application; namely a 'L' shaped footprint with a maximum floorspace of 185m², with a depth varying from a minimum of 9 metres and a maximum of 10.5 metres, a width varying from a minimum of 11.5 metres and a maximum of 15.5 metres and a height varying from a minimum of 6.5 metres and a maximum of 7.5 metres.
Reason: To protect the purpose of the development as an agricultural dwelling / future purpose as an affordable dwelling and help preserve the openness of the Green Wedge and protect the special landscape of the area.
5. In pursuance of reserved matters relating to appearance, the design of the building including external materials and external lighting

shall accord with the recommendations set out in Section 5.10 of the Landscape and Visual Appraisal and Landscape Strategy by Enderby Associates dated October 2024.

Reason: To protect the rural character of the countryside and the special landscape of the area.

6. No development or phase of development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:
 - o Construction methods: details of materials, how waste generated will be managed.
 - o General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized 12.5 metre buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
 - o Biodiversity Management: details of tree and hedgerow protection; invasive species management and biosecurity measures; species and habitats protection, avoidance and mitigation measures.
 - o A suitably qualified ecologist will be on call for the duration of the work and will be informed in any European protected species is found.
 - o If any trenches are left exposed over night during the works, there must be a means of escape for animals. This will comprise of a shallow sloped board (of at least 30 centimetres in width) set at an angle of no more than 30 degrees.
 - o Silt barriers must be installed around the site to avoid run off into the reën system.
 - o Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
 - o Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction.
7. No development shall commence until full details of the foul and surface drainage systems (including manufacturer's information, capacity, location and details of secondary treatment) has been submitted to and approved in writing by the Local Planning Authority. The details shall be implemented fully in accordance with the approved scheme prior to the occupation of the dwelling.

Reason: To ensure adequate drainage is provided.
8. No development shall commence until full details of the proposed boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The design of the boundary treatments shall accord with recommendations set out in the Landscape and Visual Appraisal and Landscape Strategy by Enderby Associates dated October 2024. The boundary treatments shall be constructed in accordance with the approved details prior to the occupation of the dwelling and then retained accordingly for the duration of the development.

Reason: To ensure the development is completed in a satisfactory manner and in order to protect the rural character of the area.
9. No development shall commence until details and plans showing the finished slab level of the dwelling hereby approved, together with cross sections through the site, have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of visual amenities.
10. No development shall take place until full details of a written scheme of historic environment mitigation has been submitted to and approved in writing by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, to mitigate the impact of the works on the archaeological resource.
11. Prior to the commencement of development, a landscaping and tree planting scheme (to include the proposed green roofs) indicating the number, species, heights on planting and positions of all trees and shrubs scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall accord with the recommendations set out in the Landscape and Visual Appraisal and Landscape Strategy by Enderby Associates dated October 2024. The approved scheme shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the first occupation or the completion of that development whichever is the sooner. Thereafter, the trees and shrubs shall be maintained for a period of 5 years from the date of planting in accordance with an agreed management schedule. Any trees or shrubs which die or are damaged shall be replaced and maintained until satisfactorily established. For the purposes of this condition, a full planting season shall mean the period from October to April.

Reason: To safeguard the rights of control of the Local Planning Authority in these respects and to ensure that the site is landscaped in a satisfactory manner.
12. Prior to commencement of any development, an ecological enhancement and habitat management plan shall be submitted to and approved in writing by the Local Planning Authority. This plan shall accord with the recommendations of the Preliminary Ecological Appraisal hereby approved. The enhancement measures shall be fully implemented prior to beneficial occupation of the dwelling and managed in accordance with the approved details.

Reason: In the interests of ecology.
13. The occupancy of the dwelling shall be restricted to:
 - a) a person solely or mainly working, or last working on a rural enterprise in the locality, or a widow, widower or surviving civil partner of such a person, and to any resident dependants; or, if it can be demonstrated that there are no such eligible occupiers,
 - b) a person or persons who would be eligible for consideration for affordable housing under the local authority's housing policies, or a widow, widower or surviving civil partner of such a person, and to any resident dependants.

Reason: It is the policy of the Local Planning Authority to severely restrict the provision of new dwellings in this area. In this case the development is only justified on the grounds that the dwelling is functionally required in association with the rural enterprise that shares the site.
14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order), Schedule 2, Part 1, no development within Classes A, B, C, D, or E shall be carried out without the prior written permission of the Local Planning Authority.

Reason: To ensure that a satisfactory form of development takes place and to protect the rural character of the area.

NOTE TO APPLICANT

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.

1. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP3, SP5, SP7, SP8, CE6 were relevant to the determination of this application.
2. Planning Policy Wales, Technical Advice Note 6 (Planning for Sustainable Rural Communities) July 2010 and the Practice Guidance relating to Technical Advice Note 6 for Sustainable Rural Communities - Rural Enterprise Dwellings (December 2011) were relevant to the determination of this application.
3. The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations, and it is considered that an Environmental Statement is not required.
4. The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), CIfA regulations, standards and guidance | Chartered Institute for Archaeologists and it is recommended that it is carried out either by a CIfA Registered Organisation or a MCIfA level accredited Member Looking for an archaeologist? | Chartered Institute for Archaeologists.
5. Natural Resources Wales Advice to Applicant
 - o Pollution Prevention
During the construction phase you should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages. For further guidance please refer to Guidance for Pollution Prevention (GPP) 5: Works and maintenance in or near water, and GPP 6: Working on construction and demolition sites, which are available on the NetRegs website.

- o Flood Warning Service

The availability of a flood warning service to the development location should be confirmed by visiting the Natural Resources Wales website. NRW provides warnings where it is technically possible, but this service must not be relied on to guarantee the timely and safe evacuation of occupants. Where available, the flood warning service can be a useful means of alerting occupants who have voluntarily signed up to receive Flood Alerts and Flood Warning, enabling them to take action in advance of a flood event. Protection measures should not be wholly dependent on the flood warning service and should be implemented to manage risks and impacts of flooding.

Signed on behalf of the 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).