

Delegated Decision Report

Application No:	25/0909	Statutory Period Expires:	11th September 2026
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Site:	<i>The Old Post Office 2 Tregarn Road Langstone Newport NP18 2JS</i>		
Proposal:	<i>S73 APPLICATION TO VARY CONDITIONS 1 (APPROVED PLANS), 2 (LANDSCAPING), 3 (ECOLOGICAL ENHANCEMENT), 4 (REFUSE STORE), 5 (CYCLE STORE), 7 (PARKING SPACES) AND 9 (PRIVACY SCREENS) OF 23/0418 CONSTRUCTION OF 5NO. FLATS, PARKING, LANDSCAPING AND ASSOCIATED WORKS</i>		
Applicant:	<i>T Pricor</i>		
Type:	Renewals and Variation of Conditions	Ward:	Bishton And Langstone
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site has a lengthy planning history which dates back to an initial planning application in 2005 (05/1077), which was granted in October 2008 for the demolition of the former Post Office building and construction of 6no. flats, parking and ancillary works.

2.2 The 05/1077 permission was later extended through application 13/1071, however never built out. In January 2019 planning application 18/0333 was granted with conditions for the construction of a residential building containing 6no. two bedroom flats with under croft parking and associated landscaping works. Pre commencement planning conditions were partially discharged but that permission was never implemented and instead a new application 22/0545 was submitted in 2022 for the construction of 5no. flats, car parking and associated landscaping works. Planning permission was granted in June 2023, however work had already commenced on site and it became apparent that what was being built on site was not in accordance with those proposed plans.

2.3 A further application was granted under application 23/0418, and this is the most recent planning permission on the site. However, it is apparent that not all of the development has been built in accordance with the plans and a number of conditions have not been complied with. This current application is now sought to regularise changes and vary the conditions listed within the description of development.

3. DESCRIPTION OF DEVELOPMENT

3.1

4. RELEVANT SITE HISTORY

05/1077	RESIDENTIAL DEVELOPMENT OF 6NO. FLATS, PARKING AND ANCILLARY WORKS	GRANTED WITH CONDITIONS
13/1071	VARIATION OF STANDARD CONDITION TO EXTEND TIME PERIOD FOR COMMENCEMENT OF DEVELOPMENT GRANTED BY PLANNING PERMISSION 05/1077 FOR RESIDENTIAL DEVELOPMENT OF 6NO. FLATS, PARKING AND ANCILLARY WORKS	GRANTED WITH CONDITIONS

18/0333	PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING OF 6NO.FLATS, UNDERCROFT PARKING AND ASSOCIATED LANDSCAPING WORKS	GRANTED WITH CONDITIONS
20/0678	PARTIAL DISCHARGE OF CONDITION 02 (MATERIALS), 03 (CEMP), 04 (LANDSCAPING), 05 (BALCONY PRIVACY SCREENS), 06 (PARKING AREA SURFACE) AND 07 (DRAINAGE AND CULVERT MANAGEMENT) OF PLANNING PERMISSION 18/0333 FOR THE PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING OF 6NO.FLATS, UNDERCROFT PARKING AND ASSOCIATED LANDSCAPING WORKS	PART APPROVED PART REFUSED
21/0117	PARTIAL DISCHARGE OF CONDITIONS 4 (LANDSCAPING), 6 (PARKING SURFACE) AND 7 (SURFACE WATER DRAINAGE) OF PLANNING PERMISSION 18/0333 FOR PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING OF 6NO.FLATS, UNDERCROFT PARKING AND ASSOCIATED LANDSCAPING WORKS	APPROVED
22/0545	CONSTRUCTION OF 5NO. FLATS, CAR PARKING AND ASSOCIATED LANDSCAPING WORKS	GRANTED WITH CONDITIONS
23/0418	CONSTRUCTION OF 5NO. FLATS, PARKING, LANDSCAPING AND ASSOCIATED WORKS	GRANTED WITH CONDITIONS
25/0534	S73 APPLICATION TO VARY CONDITIONS 1 (APPROVED PLANS), 2 (LANDSCAPING), 3 (ECOLOGICAL ENHANCEMENT), 4 (REFUSE STORE), 5 (CYCLE STORE), 7 (PARKING SPACES) AN 9 (PRIVACY SCREENS) OF 23/0418 CONSTRUCTION OF 5NO. FLATRS, PARKING, LANDSCAPING AND ASSOCIATED WORKS	REFUSED

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)

Strategic Policies

SP1 Sustainability
SP9 Conservation of the Natural, Historic and Built Environment
SP13 Planning Obligations
SP18 Urban Regeneration

General Policies

GP1 Climate Change
GP2 General Amenity
GP4 Highways and Accessibility
GP5 Natural Environment
GP6 Quality of Design
GP7 Environmental Protection and Public Health

Strategic Policies

SP1 Sustainability
SP3 Flood Risk
SP5 Countryside
SP8 Special Landscape Areas
SP9 Conservation of the Natural, Historic and Built Environment

General Policies

GP1 Climate Change
GP2 General Amenity
GP4 Highways and Accessibility
GP5 Natural Environment
GP6 Quality of Design
GP7 Environmental Protection and Public Health

Housing Policies

H2 Housing Standards
H4 Affordable Housing
H6 Subdivision of Curtilages, Infill and Backland Development
H8 Self contained accommodation and HMOs

Transport and Waste

T4 Parking
W3 Provision for Waste Management Facilities in Development

5.4 SUPPLEMENTARY PLANNING GUIDANCE

NEW DWELLINGS
PARKING STANDARDS
SUSTAINABLE TRAVEL
PLANNING OBLIGATIONS
WASTE STORAGE AND COLLECTION

6. CONSULTATION RESPONSES

- 6.1 Natural Resources Wales: We consider we did not request conditions 1 (approved plans), 2 (landscaping), 3 (ecological enhancement), 4 (refuse store), 5 (cycle store), 7 (parking spaces) and 9 (privacy screens) of 23/0418 construction of 5no. flats, parking, landscaping and associated works at The Old Post Office 2 Tregarn Road Langstone Newport NP18 2JS, which this application is seeking to vary. We therefore do not have any comment to make on the variation of these conditions.

6.2 Highways:

Highway recommendation:

CONDITIONS,

- 1 (APPROVED PLANS): Recommend refusal
- 2 (LANDSCAPING): Recommend no discharge
- 3 (ECOLOGICAL ENHANCEMENT): No comment.
- 4 (REFUSE STORE): No formal objection to discharge.
- 5 (CYCLE STORE): Recommend partial discharge.
- 7 (PARKING SPACES): Recommend no discharge.
- 9 (PRIVACY SCREENS): No comment.

Highway Comments:

1 (APPROVED PLANS): Recommend refusal, because the new plan does not show appropriate pedestrian visibility splays and allows planting above a 600mm raised bed within the visibility splay. The total height of any obstruction within the splay should be no more than 600mm for reasons of pedestrian safety.

2 (LANDSCAPING): Recommend refusal, because the new plan does not show appropriate pedestrian visibility splays and allows planting above a 600mm raised bed within the visibility splay. The total height of any obstruction within the splay should be no more than 600mm for reasons of pedestrian safety.

4 (REFUSE STORE): The bin store reduces the available space for manoeuvre. We would therefore question if it could be better placed or proportioned, but do not raise a formal objection, because in practice it should be workable.

5 (CYCLE STORE): The information provided for cycle parking is now acceptable and approved. We would therefore recommend partial discharge in so far as the scheme is approved but remains to be provided and retained.

7 (PARKING SPACES): No information has been found to suggest that the parking has been provided drained and marked out.

6.3 Landscape: **Comments:**

1. The soft landscape plan revision has again been undertaken by Cotswold Architectural. Planting details have been confirmed, my only comment is that the structural planting bed [closest to the building] will require underplanting – the shrubs proposed are open habit native species.

The following comment raised in November 2025 remains unanswered:

2. The bike shed is to be relocated from the front to the rear, as previously this is a large structure (4 x 3 x 3m height). What is the landscape treatment within the red line between bike shed and 'greenfield land' to soften views from the elevated footpath running through the 'Greenfield Land'? Photos are required to show the current site condition along with any robust proposals for planting.

6.4 Ecology: No response.

6.5 Environmental Health: No objection.

6.6 Trees: No response.

6.7 Drainage: No response.

- 6.8 Public Rights of Way: Have confirmed required considerations of developing adjacent to a PROW.
- 6.9 Housing: No response.
- 6.10 SAB: A SAB application is required and has been submitted.
- 6.11 Waste: No objection.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 11th November 2025 and a Site Notice was put up on 11th November 2025.

- 7.1 NEIGHBOURS: All properties sharing a common boundary and located opposite the site were consulted (13no. properties). One response has been received raising concerns in relation to the surface water drainage strategy for the site.
- 7.2 LANGSTONE COMMUNITY COUNCIL: No response.

8. ASSESSMENT

8.1 Principle of Development:

- 8.1.1 The residential development of the site has been established in principle over the course of the planning history. Since approval of the most recent planning permission, which is applying to be varied, there has not been any significant Local or National Planning Policy amendment or update relevant to this site or nature of the development over and above that previously considered.
- 8.1.2 The assessment of this application will therefore be limited to the specific matters applying to be varied, as outlined in the applicant's supporting information.

8.2 Condition 01 (Approved Plans)

- 8.2.1 The standard plans condition of 23/0418 controls the development to be implemented in accordance with the listed approved plans. The scheme that has been built out on site includes departures from the approved plans, and as such new plans are submitted that reflect these changes and seeks approval to regularise the development.
- 8.2.2 In terms of the building, there are design changes throughout the previously approved elevations, and whilst these are relatively subtle they do not accord with the approval. Over the course of this application, revisions have been made so that the plans match that built on site. The final revision of plans submitted are considered to accurately reflect the building as it has been built.



Figure 1 – Front and Rear Elevations

- 8.2.3 From a design and appearance perspective, the building as built and shown on the final plans is acceptable and accords with the relevant development plan policies.
- 8.2.4 There are other external alterations to the site layout proposed in order to regularise the development that has been constructed, and these relate to parking layout, landscaping, refuse storage and cycle storage and these will be considered under the relevant condition in the following sections of this report.

8.3 Condition 02 (Landscaping)

- 8.3.1 Condition 02 of planning permission reference 23/0418 is currently worded as follows:

“Notwithstanding the information submitted, prior to the first occupation of any unit a scheme of landscaping to include green infrastructure and biodiversity enhancements shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out in 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 five 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 five-year establishment phase is to be confirmed by:

a) A short report with photographic evidence by the landscape consultant, to be submitted to and approved in writing by Newport City Council immediately following completion of the landscape scheme. This report must show the site before and after planting, seeding, and fencing, and confirm compliance with the approved documents (e.g. plant species, plant size, planting operations).

b) A report with photographic evidence by the landscape consultant, to be submitted to Newport City Council by 31st July in years 2 and 5 of the five-year establishment period (and thereafter approved in writing by the Local Planning Authority), summarising any issues with planting or seeding, any replacement planting required, and the timetable for replacements.” For the purposes of this condition, the planting season shall mean the period of October 2024 to March 2025.

Reason: To secure the satisfactory implementation and maintenance of the soft landscape scheme in the interests of residential and visual amenity, ecological enhancement, and placemaking, in accordance with Policies GP2, GP5, and GP6 of the adopted Newport Local Development Plan.

- 8.3.2 A revised scheme of soft landscaping has now been submitted in order to reflect the changes to the planning permission being sought under this application in relation to the site layout. Whilst this could be submitted through a discharge of condition application, it is included within this S73 application as the trigger for submission was prior to occupation of the building, which has now taken place so there is a non compliance with this condition.
- 8.3.3 At the request of the Council's Landscape Officer, revised details have been submitted through the course of the application. The details originally submitted were not considered to be acceptable within the surrounding context, and also there were discrepancies between plans in relation to the external layout of the site.
- 8.3.4 The scheme put forward now includes low level planting at the front of the site behind a boundary dwarf wall, as well as planting to the front elevation of the building including the provision of 2no. trees. This is considered to soften the visual impact of the proposed development and the proposed trees will break up views of the main elevation. A five year landscape management plan is also provided. The Landscape Officer has offered no objection to the final revised scheme.
- 8.3.5 The wording of Condition 02 can be appropriately reworded so that it secures the implementation of the approved scheme within a reasonable and specified timescale from the grant of permission that relates to the next available planting season, as the building is occupied.

8.4 Condition 03 (Ecological Enhancement)

8.4.1 Condition 03 of planning permission reference 23/0418 is currently worded as follows:

“Notwithstanding the information submitted, no occupation of any flat hereby approved shall take place until a scheme of ecological enhancement (including timetable for provision) has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided in full prior to first occupation and retained thereafter.”

Reason: To ensure the proposal benefits from ecological enhancement in accordance with Policy GP5 of the Newport Local Development Plan 2011–2026 (adopted January 2015) and Planning Policy Wales (Edition 11).

8.4.2 A revised Scheme of Ecological Enhancement has now been submitted in order to reflect the changes to the planning permission being sought under this application. Whilst this could be submitted through a discharge of condition application, it is included within this S73 application as the trigger for submission was prior to occupation of the building, which has now taken place so there is a non compliance with this condition.

8.4.3 The Council's Ecologist has not provided a response to the consultation, however the revised landscape and ecological enhancement plan outlines areas of soft landscaping that include full details of native planting, 2no. trees, 2no. nesting bird boxes on the building and a bug hotel in the rear garden area. These measures are considered to be proportionate to the scale of the proposed development and would provide an enhancement to the existing vacant previously developed site.

8.4.4 The wording of Condition 04 can be appropriately reworded so that it secures the implementation of the approved scheme within a reasonable and specified timescale from the grant of permission, as the building is occupied.

8.5 Condition 04 (Refuse Store)

8.5.1 Condition 04 of planning permission reference 23/0418 is currently worded as follows:

Notwithstanding the information submitted details for the enclosure of the refuse store shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of the development the agreed refuse store details shall be installed in full, made available for use and retained in that state thereafter.

Reason: In the interest of visual amenity and highway safety and in accordance with Policy GP2 and GP4 of the NLDP.

8.5.2 A refuse store has been constructed on site, which is unacceptable and was refused under the most recent S73 application 25/0534. Through negotiations, revised details have now been submitted that include a 1.20m high facing brick bin store with coping. This is of suitable material to sufficiently enclose the receptacles whilst maintaining the visual amenity of the street scape in this prominent location. The Council's Highways Officer has raised no objection to the details submitted and confirm that this should be workable for vehicles to manoeuvre.

8.5.3 The wording of Condition 04 can be appropriately reworded so that it secures the implementation of this store within a reasonable and specified timescale from the grant of permission, as the building is occupied.

8.5.4 The proposal complies with Policy GP2, GP6 and W3 of the NLDP 2011-2026 (adopted January 2015).

8.6 Condition 05 (Cycle Storage)

8.6.1 Condition 05 of planning permission reference 23/0418 is currently worded as follows:

No occupation of any flat shall take place until the proposed cycle store has been installed and made available for use in full accordance with details firstly submitted to and approved

in writing by the Local Planning Authority. At all times the approved cycle store shall be kept clear of obstruction and available for use.

Reason: In the interest of visual amenity, highway safety and to promote sustainable travel in accordance with Policy SP1, GP2 and GP4 of the NLDP.

8.6.2 The cycle store was originally approved to the front of the building, and the condition sought final details prior to occupation. This has not been complied with. This application now proposes the relocation of a cycle store, which is to be through the provision of a lockable timber shed to the rear of the site. Details have again been negotiated over the course of the application, and 6no. Sheffield stands/loops are proposed within the store.

8.6.3 The Council's Highways Officer has confirmed that the details are acceptable, and whilst the Landscape Officer has raised queries whether additional planting is required due to the new location at the rear of the site, it is considered that the details are acceptable and with the enclosure being akin to a garden shed, it would not result in any adverse visual impact in this location.

8.6.4 The wording of Condition 05 can be appropriately reworded so that it secures the implementation of this store within a reasonable and specified timescale from the grant of permission, as the building is occupied.

8.6.5 The proposal complies with Policy GP2, GP4 and GP6 of the NLDP 2011-2026 (adopted January 2015).

8.7 Condition 07 (Parking Spaces)

8.7.1 Condition 07 of planning permission reference 23/0418 is currently worded as follows:
Prior to the first beneficial use of the building hereby approved, the parking layout as shown on approved document Drawing No. GA04 - Site Plan (Received 23/05/2024) shall be provided and made available for use and retained in that state at all times thereafter.
Reason: In the interest of highway safety and in accordance with Policy GP4 of the NLDP.

8.7.2 The parking layout that has been implemented on site does not accord with the layout that is approved through this condition. However, what is now being sought also does not reflect the parking layout currently in situ, which requires amendments in order to satisfy other matters sought through this submission, such as refuse storage and landscaping.

8.7.3 The proposed parking layout as submitted within this application provides 6no. car parking spaces, which is the same quantum as previously approved but in a revised layout. This layout is considered to be acceptable and will allow vehicles to access and egress the site in a forward gear. The Highways Officer has recommended no discharge as the spaces have not been marked out on site or drainage installed as per the plans. However, the implementation of parking and drainage for the parking area can be controlled through a planning condition, so this is not reason to withhold permission.

8.7.4 The wording of Condition 07 can be appropriately reworded so that it secures the implementation of the approved parking layout and aco drain within a reasonable and specified timescale from the grant of permission, as the building is occupied.

8.7.5 The proposed site layout and parking layout also shows the site access, which has been provided as per the previous approval. The Highways Officer notes that the pedestrian visibility splays have been drawn incorrectly, and that planting is allowed within the splays greater than 600mm in height. It is acknowledged that the visibility splays drawn are incorrectly, however the site access proposed is established and the revised landscaping plans for the site have removed the raised planters and replaced with floor level planting, which is stated as being strictly controlled to below a 600mm height. It can be controlled that this is maintained to a maximum height of 600mm through the proposed landscape condition.

8.7.6 The proposal complies with Policy GP2, GP4 and GP6 of the NLDP 2011-2026 (adopted January 2015).

8.8 Condition 09 (Privacy Screens)

- 8.8.1 Details of privacy screens were approved under 23/0418 and were shown as being obscure glazed panels up to 2.10m in height, which would prevent overlooking between balconies and to neighbouring properties.
- 8.8.2 The design now submitted retains the 2.10m height, however replaces the glazed units with solid composite grey panels, which have already been installed on site on first and second floor balconies. Visually and in design terms, these privacy screens are acceptable as practically they prevent intervisibility to preserve residential amenity.
- 8.8.3 As such, the proposed details are acceptable and Condition 09 can be varied so that the working seeks the provision and retention of the details to be approved.
- 8.8.4 The proposal complies with Policy GP2 and GP6 of the NLDP 2011-2026 (adopted January 2015).

8.9 Section 106 Planning Obligation Matters

- 8.9.1 In 2010 the Community Infrastructure Levy Regulations (2010) came into effect. Reg 122 of these regulations sets out limitations on the use of planning obligations. It sets out three tests that planning obligations need to meet. It states that planning obligations may only constitute a reason for granting planning permission if the obligation is:

a) Necessary to make the development acceptable in planning terms; (the obligations of the Section 106 Agreement are necessary to ensure adequate education provision, secure affordable housing on site, provide sufficient open space and ensure its continued maintenance, monitor air quality, promote local employment benefits, secure appropriate long-term marketing of the retail/ commercial units and to improve accessibility for vehicles and pedestrians to/ from the development to ensure policy compliance.)

b) Directly related to the development; (the obligations of the Section 106 Agreement are directly related to the development.)

and

c) Fairly and reasonably related in scale and kind to the development (the obligations as set out in the Section 106 Agreement, both in terms of scale and kind of obligations being required, are fair and reasonable to ensure the aforementioned contributions for the development of this strategic site).

- 8.9.2 Planning contributions were waived under the 23/0418 planning application for the scheme following consideration of the Viability Report dated December 2022 that was submitted with the prior 22/0545 planning approval and concluded the scheme was unviable in terms of making a contribution to the Section 106 payments.
- 8.9.3 The Planning Contributions Manager has responded in relation to this application advising that an updated Viability Appraisal should be submitted to support the current application. The 23/0418 planning application was granted in June 2024 and it is not anticipated that in terms of costs and viability there is likely to have been any notable changes that would alter the viability of the scheme now. House prices have not significantly changed during the intervening period albeit incremental increase in values is generally expected year on year. However, costs have notably increased in recent years. Having reviewed the proposal it is also considered that the applicant could revert to the approved scheme if it was required. As such, on balance in this instance it is not considered necessary or reasonable to require that a new Viability Appraisal is submitted.
- 8.9.4 Ordinarily, in accordance with Policy SP13 of the adopted Newport Local Development Plan 2011-2026 and the adopted Planning Obligations Supplementary Planning Guidance, development will be required to help deliver more sustainable communities by providing, or

making contributions to, local and regional infrastructure in proportion to its scale and the sustainability of the location. In this case, section 106 planning obligations would ordinarily be required to mitigate the impact of the development in accordance with the table below.

Service Area that requires planning obligation	Purpose of planning obligation	Planning obligation initially sought by Planning Authority	Summary Heads of Terms agreed by applicant(s)	Viability Issues?
Regeneration and Economic Development	Financial contribution to off site affordable housing provision	40% affordable housing - £32,600.	NA	Yes, previously agreed. Not viable.
Regeneration and Economic Development	Leisure	£18,560 to upgrade and maintain off site provision at the Nurseries and/or Langstone Play Area and MUGA.	NA	Yes, previously agreed. Not viable.

8.10 Other Matters

- 8.10.1 In the neighbour response received, the issues of surface water drainage for the site has been raised as a concern, and that no approval has been given. Whilst a material planning consideration, surface water drainage is considered by a separate regulatory body i.e. the Sustainable Drainage Approving Body (SAB) under Schedule 3 of the Flood & Water Management Act. The SAB have advised that an application has been submitted and is under consideration.

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 Overall, it is considered that the design and layout changes proposed as part of the variation of Condition 01 (Approved Plans), as well as the supporting information submitted in relation to the variation of Condition 02 (Landscaping), 03 (Ecological Enhancement), 04 (Refuse Store), 05 (Cycle Store), 07 (Parking Spaces) and 09 (Privacy Screens) is acceptable.

10.2 The application is granted with conditions.

11. **DECISION**

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: Drawing No. GA04 - GA Elevation Rev DC (Received 16.04.2026); Drawing No. GA04 - Site Plan Rev DC (Received 16.04.2026); Drawing No. GA08 - Landscaping Plan & Ecological Management Plan Rev DC; Revised Scheme of Ecological Enhancement (17.06.2026); 5 Year Planting Management Plan (17.06.2026)

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

Soft Landscaping

02 The scheme of soft landscaping for the site hereby approved shall be carried out in 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. No planting at the front of the site shall reach a height greater than 600mm. 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 and approved in writing by 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 e.g. plant species, plant size, planting operations etc; and
- b) A report with photo evidence by the landscape consultant to be submitted to Newport City Council by 31st July for year 2 and 5 of the five-year establishment period (and thereafter approved in writing by the Local Planning Authority) summarising any issues with planting or seeding, any replacement planting required and the timetable for replacements.

For the purpose of this condition, the planting season shall mean the period of October 2026 to March 2027.

Reason: To secure the satisfactory implementation and maintenance of the soft landscape scheme in the interests of residential and visual amenity, ecological enhancement and placemaking having regard to Policy GP2, GP5 and GP6 of the adopted NLDP 2011-2026 (adopted January 2015).

Ecological Enhancement

03 The bird boxes, bat boxes and bug hotel hereby approved shall be installed within 3 months of the date of this permission, and shall be retained thereafter.

Reason: To ensure the proposal benefits from ecological enhancement in accordance with Policy GP5 of the NLDP 2011-2026 (adopted January 2015) and PPW 11.

Refuse Store

04 Within 3 months of the date of this permission, the approved refuse store shall be provided in full accordance with the approved plans, made available for use and shall be kept free from obstruction and retained in that state thereafter.

Reason: In the interests of providing acceptable refuse storage and preserving visual amenity and highway safety in accordance with Policy GP2, GP4 and W3 of the NLDP 2011-2026 (adopted January 2015).

Cycle Store

05 Within 3 months of the date of this permission, the approved cycle store shall be provided in full accordance with the approved plans, made available for use and shall be kept free from obstruction and retained in that state thereafter.

Reason: In the interests of promoting sustainable travel in accordance with Policy SP1 and GP4 of the NLDP 2011-2026 (adopted January 2015).

Parking Spaces

06 Within 3 months of the date of this permission, the approved parking layout shall be permanently marked out on site and provided in full accordance with the approved plans (including provision of aco drain), made available for use and shall be kept free from obstruction and retained in that state thereafter.

Reason: In the interests of highway safety in accordance with Policy GP4 of the NLDP 2011-2026 (adopted January 2015).

Pre Occupation Conditions

Front Boundary

07 Within 3 months of the date of this permission, the approved 600mm high brick dwarf wall to the front of the site shall be installed in full and retained in that state thereafter.

Reason: In the interests of visual amenity and highway safety in accordance with Policy GP2 and GP4 of the NLDP 2011-2026 (adopted January 2015).

First Floor Side Windows

08 Prior to the occupation of any first floor unit hereby approved all first floor windows fitted in the side elevations shall be obscure glazed (to a minimum Pilkington Level 3 Rating) and non-opening unless any part of the window which can be opened is, when measured at any point along the lowest edge of that part, at least 1.7 metres above the internal floor.

Reason: To safeguard the amenities of neighbouring residents and in accordance with Policy GP2 of the NLDP 2011-2026 (adopted January 2015).

Privacy Screens

09 Prior to occupation of any first and second floor flat hereby approved the privacy screens serving the balconies as shown on the approved plans shall be installed in full and retained in that state thereafter.

Reason: To safeguard residential amenity in accordance with Policy GP2 of the NLDP 2011-2026 (adopted January 2015).

General conditions

Boundary Treatments

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), Schedule 2, Part 2, Class A, no wall, fence, gate, hedge or other means of enclosure (other than those shown on the approved plans) shall be erected or planted on site without the prior written permission of the Local Planning Authority.

Reason: In the interests of the visual amenities and character and appearance of the area and in accordance with Policy GP2 of the NLDP.

Welsh Water Dwr Cymru – Surface Water Drainage

11 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policy GP3 of the NLDP.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Photograph 1; Site Photograph 2.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1 (Sustainability), SP10 (Housebuilding Requirement), SP13 (Planning Obligations), GP2 (General Amenity), GP4 (Highways and Accessibility), GP5 (Natural Environment), GP6 (Quality of Design), H6 (Sub-division of Curtilages, Infill and Backland Development) and W3 (Provision for Waste Management Facilities in Development) 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.