

Delegated Decision Report

Application No:	25/1056	Statutory Period Expires:	24th August 2026
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Site:	<i>Bramley Catsash Road Newport NP18 2LZ</i>		
Proposal:	<i>REPLACEMENT OF THE DEMOLISHED DWELLING "BRAMLEY"</i>		
Applicant:	<i>R Peterson</i>		
Type:	Full	Ward:	Bishton And Langstone
Decision:	GRANTED WITH CONDITIONS AND SUBJECT TO A SECTION 106 LEGAL AGREEMENT WITH DELEGATED AUTHORITY TO HEAD OF REGENERATION AND ECONOMIC DEVELOPMENT TO USE DISCRETION TO REFUSE IF NOT SIGNED WITHIN 3 MONTHS OF A RESOLUTION		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 This vacant site is located within the urban boundary and was formerly occupied by a single storey dwelling and garage which was located to the north of the site orientated towards the access lane. The property was demolished circa 2022 after being stood derelict over a period of time. Some of the rubble from the former dwelling remains at the site. Excluding the access lane the site is broadly rectangular shaped and measures approximately 62m in length x 27m in width. It is lined by hedges and trees to the boundaries. A brook lies adjacent to the site and runs parallel to the eastern boundary.

2.2 The site is surrounded by existing residential development characterised by larger style properties, varying in character and design and occupying generous plots. Further afield to the southwest and southeast is a modern housing estate. Further beyond to the north of the site is open countryside.

2.3 Access to the site is via a private lane off Catsash Road. The lane also provides secondary access to the property known as 'Oakwood' located to the west of the application site, with primary access to this property being from Silure Way. The access lane is situated to the sides of two properties fronting Catsash Road; Swyn-dwr and Woodside Cottage.

3. DESCRIPTION OF DEVELOPMENT

3.1 The proposed dwelling would be orientated towards the access lane and set back from it by approximately 9m at its nearest point. The dwelling would comprise two main wings and would have a modernist design with a flat roof, stone façade and mix of limestone cladding and render finish. The wing running south to north of the site would measure 26m x 6.5m at its widest and the wing coming off from this running west to east would measure 11m x 10m. The property would have a total floor area of 2369 square metres. The overall height of the building would be approximately 5.2m. The upper roof will have a sedum covering. A double garage forms part of the main wing and would be situated at a right angle to the access lane accessed by two aluminium garage doors. Various openings are proposed to the elevations, with first floor openings primarily located in the northern (lane facing) elevation and the southern elevation overlooking the rear garden of the property. A full height light wall is proposed to the western elevation of the building serving the stair well and several first floor light walls are also shown. Two aluminium framed glazed entrance doors are proposed in the eastern elevation. Two glazed lanterns are proposed in the roof serving the stair well and dressing room.

3.2 The internal layout of the property would comprise a double garage, large hallway, two bedrooms and a kitchen/dining area at ground floor with three further bedrooms and a bathroom at first floor. Two large first floor balcony areas are shown with 2m high glass balustrade enclosures. A large patio area is shown to the rear of the property.

- 3.3 The building would sit comfortably within the site with generous buffers between it and the site boundaries. The site plans show a stone patio to the south of the building as well as a large lawned area, raised vegetable beds, soakaway, natural pond and a bund adjacent to the southern site boundary.

4. RELEVANT SITE HISTORY

None.

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)

Policy SP1 Sustainability favours proposals which make a positive contribution to sustainable development.

Policy SP9 Conservation of the Natural, Historic and Built Environment protects habitats and species as well as Newport's listed buildings, conservation areas, historic parks and gardens, scheduled ancient monuments, archaeologically sensitive areas and landscape designated as being of outstanding historic interest.

Policy SP10 Housing Building Requirements states that provision is made for 11,623 units within the plan period in order to deliver a requirement of 10,350 units. The plan seeks to deliver 2,061 affordable units.

Policy SP13 Planning Obligations enables contributions to be sought from developers that will help deliver infrastructure which is necessary to support development.

Policy GP2 General Development Principles – General Amenity states that development will not be permitted where it has a significant adverse effect on local amenity in terms of noise, disturbance, overbearing, light, odours and air quality. Development will not be permitted which is detrimental to the visual amenity. Proposals should seek to design out crime and anti-social behaviour, promote inclusion and provide adequate amenity for future occupiers.

Policy GP4 General Development Principles – Highways and Accessibility states that development should provide appropriate access for pedestrians, cyclists and public transport along with appropriate car parking and cycle storage. Development should not be detrimental to the highway, highway capacity or pedestrian safety and should be designed to enhance sustainable forms of transport and accessibility.

Policy GP5 General Development Principles – Natural Environment states that proposals should be designed to protect and encourage biodiversity and ecological connectivity and ensure there are no negative impacts on protected habitats. Proposals should not result in an unacceptable impact of water quality or the loss or reduction in quality of agricultural land (Grades 1, 2 and 3A). There should be no unacceptable impact on landscape quality and proposals should enhance the site and wider context including green infrastructure and biodiversity.

Policy GP6 General Development Principles – Quality of Design states that good quality

design will be sought in all forms of development. In considering proposals, a number of factors are listed which should be considered to ensure a good quality scheme is developed. These include consideration of the context of the site; access, permeability and layout; preservation and enhancement; scale and form of the development; materials and detailing; and sustainability.

Policy GP7 General Development Principles – Environmental Protection and Public Health states that development will not be permitted which would cause or result in unacceptable harm to health.

Policy H2 Housing Standards promotes high quality design taking into consideration the whole life of the dwelling.

Policy H4 Affordable Housing sets out the affordable housing targets for the four submarket areas within Newport. For new housing sites of fewer than 10 dwellings within the settlement boundary, and fewer than 3 dwellings within the village boundaries, a commuted sum will be sought.

Policy T4 Parking states that development will be expected to provide appropriate levels of parking.

Policy W3 Provision for Waste Management Facilities in Development states that where appropriate, facilities for waste management will be sought on all new development.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

Parking Standards SPG

Planning Obligations SPG

New Dwellings SPG

Waste Storage and Collection SPG

Wildlife and Development SPG

Sustainable Travel SPG

Affordable Housing SPG

6. CONSULTATION RESPONSES

6.1 Local Highways Authority: **Highway Comments:**

Following receipt of additional information, notably comments from neighbours and a CEMP we would update our comments as follows.

The neighbours' observations raise the question of control over the access road. We would seek confirmation that the applicant can improve the access as needed (refer to previous comments) and that it would only be used for domestic access.

With respect to the CEMP, this lacks detail, so a condition is still required. The CEMP should demonstrate sufficient parking, access and turning within the site. It is not clear if HGV access would impact drainage or be practical at this stage.

6.2 SAB Drainage: We have received a pre-application for this site but are still awaiting for the full application to be submitted.

6.3 Landscape officer: The Landscape information provided is acceptable.

6.4 Ecology officer: The concerns raised in my previous response of 27th January have largely been addressed by these new details, specifically in relation to the Landscape Proposals. The planting on the southern bund seems more appropriate, however some of the proposed trees are labelled 'Bp' but this code does not appear in the Soft Landscape Key. I assume 'Bp' refers to *Betula pendula* – the Silver Birch – but the native tree planting key refers to *Crataegus laevigata*, the Midland Hawthorn, although the code 'Cl' does not appear on the planting plan. Therefore I think it likely that the plan has been mislabelled with 'Bp' instead of the 'Cl' referred to in the key. In ecological terms I do not have an issue with either of these species being planted on the southern bund, but our landscape advisors may query whether it is appropriate for a tall tree species such as Silver Birch to be placed on top of a bund adjacent to a neighbour's garden.

I welcome the proposed changes to the planting of the pond. The GI Statement is adequate, but it would have been useful to include detail on how any SuDS at this site, including the pond and soakaway, have been integrated into the overall green infrastructure strategy. The bird / bat boxes are appropriate as biodiversity enhancement measures.

The location of the proposed reptile hibernaculum is inappropriate as it is underneath the retained trees and sheltered to the south by further trees. A key feature of hibernacula is that they receive direct sunlight at all times of year. However as this is an additional feature to take account of the potential but unrecorded presence of reptiles in the grassland on site, I would not object on the basis that it is included.

I see that the draft CEMP has not been amended since my previous comments, so my advice on the CEMP remains as provided on 27th January.

- 6.5 Waste Manager: We would anticipate the property receive a single 180l bin for kerbside collection with recycling bags, boxes for kerbside collection also with one council tax paid on the property as a whole. From April 1st 2020, developers or owners of all new residential units will be required to purchase bin provision for each unit serviced to meet the Council's specification. 120L, 180L, 240L and 360L wheeled bins must be purchased/obtained from Newport City Council. 660L and 1100L bins can be purchased elsewhere but it is strongly recommended to speak to NCC Waste Management Refuse Management beforehand to ensure the bins fit the Refuse Department collection vehicles safely. Failure to purchase correct bin(s) will result in collections being suspended with the Council reserving the right to refuse collection until suitable bin specifications are met.
- 6.6 Dwr Cymru – Welsh Water: We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

ASSET PROTECTION

This site is crossed by a public sewer with the approximate position being marked on the attached statutory public sewer record. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Having regard to drawing reference SD903 02, it appears the proposed development would be situated outside the protection zone of the public sewer measured 3 metres either side of the centreline and therefore acceptable in principle. Please note, the distance specified for this protection zone is indicative and based on industry standard guidelines. However, the depth of the asset will need to be verified on site which may infer a greater protection zone. For completeness, we recommend the developer refer to their title deeds to confirm if there are any covenants or restrictions associated with the asset crossing the proposed development site.

Notwithstanding this, given the protection zone is located within the site boundary, it is still recommended that the developer contact our Plan and Protect team (PlanandProtect@dwrcymru.com) to carry out a survey to verify the location of the asset and establish their relationship to the proposed development.

SEWERAGE

We can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site.

SURFACE WATER

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Newport City Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

Please be advised that due to capacity constraints with the downstream public sewerage network, under no circumstances would we allow surface water runoff highway run-off from

the proposed development to communicate directly or indirectly with the public combined sewerage system. In addition, no amount of land drainage run-off is permitted to discharge directly or indirectly into the public sewerage system

Furthermore, the National Planning Policy Framework (NPPF) highlights the need to facilitate improvements in water quality (182) and consider the cumulative impacts on areas susceptible to flooding (171), taking a proactive approach to mitigating and adapting to climate change (162). Moreover, NPPF recognises the need to help improve local environmental conditions, including water quality (187), and ensure that risks can be managed through suitable adaptation measures, including through sustainable drainage systems (164).

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the **Conditions** and **Advisory Notes** listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

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.

- 6.7 Tree officer: Thank you for the updated landscape plan and the final objection has now been resolved. There remain certain elements that will need consideration within an Arboricultural Method Statement, which can be conditioned.
- 6.8 Environmental Health: I have no objections to the proposed development; however the following conditions should be attached to any permission granted;

Construction Environmental Management Plan

No development shall take place until a site specific Demolition and Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison
- Arrangements for liaison with the Newport City Council Noise & Neighbourhood Team
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within permitted hours
- Mitigation measures as defined in BS 5228: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- Measures to mitigate demolition dust and material causing a nuisance to local residents, for example sheeting of loads and wheel washing apparatus

Reason: To protect the amenities of occupiers of other premises in the vicinity.

Noise Assessment Required.

No information has been provided assessing the potential noise impact from road traffic or nearby adjacent commercial uses including deliveries and plant / equipment.

I therefore recommend that in order for this section to make an informed comment the applicant should be requested to provide further information assessing the noise impact of the external noise sources on the proposed residential accommodation. The report should include, if appropriate, measures to be taken to mitigate excess noise impact.

The report should be prepared by a person with appropriate acoustic qualifications and should be with full regard to all relevant guidance including BS8233:2014 - Guidance on

Sound Insulation and Noise Reduction for Buildings and BS4142:2014 Methods for rating and assessing industrial and commercial sound.

Reason: To ensure that the amenities of future occupiers are protected.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 29th December 2026, Site Notice was put up on 9th January 2026.

7.1 NEIGHBOURS: 1no objection received summarised below:

- The drawing indicates encroachment into our property (Swnydwr).
- This would severely impact the established boundaries, garden, hedge and small boundary wall, as well as wildlife habitat and increase our exposure to noise, air, traffic and light pollution from vehicles on Catsash Road and those turning into / exiting the private driveway.
- Any hedgerow removal and increased traffic on the driveway would allow car lights etc to shine directly into front and rear bedroom windows on entrance and exit.
- We are also concerned for our family's safety whilst playing in the garden should vehicles, construction traffic delivery lorries etc breach or damage the wooden boundary fence alongside the narrow driveway as there maybe insufficient width for large vehicles to turn and many would need to reverse in to unload. The existing stone pillars at this entrance show considerable evidence of previous collision damage from such vehicles, perhaps a tapered boundary wall and railings as far as the stone bridge could be considered.
- The driveway crosses an old unmaintained stone bridge over the stream and almost invisible from road / driveway. We have been advised by neighbours that the bridge was damaged many years ago by large vehicles and now maybe unsuitable for vehicles, heavy traffic, construction vehicles and feel that a survey maybe required to assess its stability and risk of collapse. Blockage of the existing waterway may cause flooding to neighbouring properties.
- Should such driveway be used for access to Bramley then the residents of Oakwood may evoke this right to also use for vehicular access. With the addition of a large multi-generational family using it as access traffic would significantly increase.
- The visibility splay onto Catsash Road from Bramley drive is currently poor. Catsash Road is a narrow village lane increasingly used as a rat run despite 8 year campaign and subsequent installation of speedbumps and 20mph zone which remains largely ignored by motorists.
- Catsash road is also unsuitable for visitor parking.
- We are pleased to see that the hedge to the northern boundary is to be retained as habitat for the wildlife as advised in the eco report. Consideration may be needed as to the maintenance height of the hedge and the deprivation of light to neighbouring properties.
- To the north of this hedge is a small circular area of land jutting in towards the Swnydwr rear garden and in very close proximity to the stream and rear of the bungalow. This area has rewilded and been maintained as natural habitat and is a haven for wildlife and is marked as being retained as such in the proposed application. We have concerns that due to the bridge instability issue this area may be used for the construction vehicles turning circle, deliveries, storage parking etc during the build or at a later date destroying the existing habitat but also destabilising the embankment towards the waterway.
- The water and sewerage system in Langstone is poor and requires updating the increased stress of a 5 bed property on the system needs consideration.
- Catsash Road suffers regularly from water run off. We are concerned about the effect on the land drainage from the new larger building footprint and driveway and any increased water run off down drive towards Catsash Road and the lower lying neighbouring properties. The stream along the eastern boundary of the site rises substantially in heavy rainfall, planting and vegetation placement needs to be considered so blockages can be prevented and cleared to reduce flood risk. The steep bank towards the stream on the eastern boundary had minor slippage towards the stream after the bungalow was bulldozed several years ago raising concerns how the construction footprint, works and heavy construction traffic may affect the stability of the land near the stream and if further reinforcement to the bank is required to prevent slippage towards the waterway.

2no neutral responses received, summarised below:

- I am pleased in principle to see that Bramley is to be developed after being left unused and derelict for over 30 years.
- The new proposed two storey dwelling is much larger compared to the bungalow that was previously on the site.
- The dwelling would be positioned noticeably closer to my property and boundary, this raises two concerns. One is how close the garage is shown next to the drive way, which could lead a restriction in the use of vehicles over the driveway to my property; this could easily be addressed by leaving a reasonable clearance.
- Secondly, the existing hedge on the West side is shown as if it is within the Bramley boundary. This not correct in that the hedge is planted within the boundary of Oakwood, so would want to ensure the new building is positioned to reflect this and to safeguard the roots of the hedge.
- I would like some clarity as to the ground level that the house is intended to be constructed at, as I am not able to see from the plans that have been submitted. Bramley is a sloping site and it will make a difference if the house is to be built at the highest level or from the lower level which is further to the South of the site and it will affect how much the house will be visible from my property.
- The elevation that is proposed to back towards my house is to be plain render and will effect the sky line above the hedge line, which would be mitigated if house is positioned further South on the site, which would naturally lower the roof line.
- Concerning what has been called existing private lane, my property does have a clear title which has been in place since 1962 before the previous bungalow was constructed, this ensures that there is a right of access with vehicles and in person at all times, so this driveway does give full access to two properties.

- We generally support this development, but have noted that many of plans show boundaries that do not conform with our title. It appears that this has been amended in one of the recently (SD903 02A Block plan and floor plans, added 23/01/2026), and this version appears to agree with our title boundaries (and indeed those of Bramley itself). We would appreciate a definitive acknowledgement of the boundaries in any agreed plans.
- We will be looking to create a tidier boundary between the properties (which has become overgrown in the time before we purchased the property), and we expect any development will mutually support the privacy of both properties, and mutually respect any reasonable sunlight opportunity.
- Additionally, we are responsible for a section of stream that runs throughout these properties on Catsash Road, and immediately upstream of us is the bridge that Bramley uses for road access. I have not fully inspected the bridge, but I would recommend that it is professionally assessed for its structural integrity, given that any collapse could cause further problems regarding the flow of this water, which is significant during heavy rain.
- It would clearly benefit the community to have the former property replaced rather than left unkempt and empty.

7.2 LANGSTONE COMMUNITY COUNCIL: No response.

8. **ASSESSMENT**

8.1 **Principle of Development:**

The site is brownfield and is located within the urban boundary where there is a presumption is favour of the development. The site is surrounded by existing residential development and the proposals would be conducive to this. The site is sustainably located in reasonable proximity to the A48 with public transport connections. The proposals are acceptable in principle with the main considerations discussed below.

8.2 **Visual Amenity/ Character and Appearance;**

The character of the area is predominantly residential, albeit becoming increasingly rural as you travel north along Catsash Road into the open countryside. Located off a private access lane and bordered by existing residential dwellings, the site is not readily visible from public vantage points. Nonetheless a high standard of design will be sought on all developments in accordance with local and national planning policy.

- 8.3 There is a good deal of variation in terms of the scale and design of neighbouring dwellings, with Oakwood to the west of the site being a very large, two storey property of modern design and development to the south forming part of a modern housing estate. Properties to the east of the site fronting Catsash Road appear to have been constructed circa 1950's to 1970's with varying designs and having been updated over time. Nantyr-Onnen and Woodside Cottage are situated to the east of the site and appear to have older origins but have been modernised. In view of these factors it is not considered necessary to replicate any particular architectural style. Indeed, the proposed flat roofed, modernist design is in contrast to all of the surrounding development. Notwithstanding, given the roof design its overall height is relatively low at 5.4m and would help to reduce any visual impact. The limestone cladding elements to elevations will help break up the starkness of the render.
- 8.4 The application is supported by section details which show the property would sit slightly lower than the level of the lane to the north of the site and that the overall height of the dwelling would be lower than the ridge height of the former property occupying the site. Whilst the site rises from south to north with the topographical survey showing levels of circa 32.72m AOD to the north and 30.29 to the south, it is considered that the proposed building can be accommodated without resulting in an adverse visual impact.
- 8.5 Externally a patio area proportionate to the scale of the dwelling is proposed and a landscape plan has been provided which shows wildlife features and retention of existing boundary vegetation where possible and an earth bund along the southern boundary. The bund would have a height of 800mm and would be planted with a mix of tree/shrub species. The bund would be lower in height than the existing 1.8m boundary treatment between the application site and the properties to the south of the site and the Council's Landscape and Ecology officers have reviewed the plant species in terms of appropriateness given the proximity to the neighbouring boundaries and potential for impact on neighbouring gardens. This is discussed further under the 'Landscaping' section of the report. Notwithstanding, the proposals are not considered to result in an adverse impact in terms of the visual amenity or the character of the area.
- 8.6 The extent of the applicant's land ownership includes an area on the opposite side of the lane/ It is stated that no development is proposed here and the ecological values of this part of the site will be enhanced with native species such as blue bells and daffodils. Given the detached nature of this part of the site from the rest of it and proximity to the neighbouring boundary with Swn-y-dwr it is considered that a condition restricting its use is warranted.

8.7 **Residential Amenity:**

As previously noted, given that the neighbouring land uses are residential, the proposals are acceptable in principle from an amenity perspective. The proposed dwelling would sit comfortably within the site with a distance of approximately 3m between the dwelling and the western boundary, 7m to the eastern boundary and over 30m to the southern boundary. First floor windows located within 10m of the neighbouring boundaries do not serve habitable rooms and can therefore be obscure glazed. This can be secured by condition. It is proposed to utilise the flat roofs over parts of the ground floor of the property as roof terraces. The terraces are large and have potential to result in an adverse impact to the occupants of Oakwood and Woodside in their enjoyment of their garden. The plans show a 2m high glass screen along the edges of the terraces adjacent to the boundaries although it is unclear what the level of obscurity would be and as such it is considered that a condition requiring full details to be submitted for approval is warranted. Subject to this, the proposals are not considered to result in an adverse impact in terms of neighbouring privacy or amenity.

- 8.8 In terms of noise and disturbance arising from the use of the lane by the occupants of the proposed dwelling, given the scale of the development for one dwelling, vehicle traffic would be limited. It must also be borne in mind that the site is brownfield, having previously been occupied by a dwelling up until recently and is located within the settlement boundary wherein such comings and goings to neighbouring properties is to be expected. Noise and disturbance is likely to be experienced during the construction phase of the development with larger vehicles likely needing to access the site. This is unavoidable. However, given the temporary nature of such construction it would not be reasonable to refuse planning

permission on this basis. Given the constrained nature of the site, it is reasonable to include a construction management plan (CEMP) condition in the interests of neighbour amenity.

- 8.9 The development would provide a very high standard of amenity for the future occupiers. The Council's Environmental Health officers have requested a noise assessment be provided in order to assess the potential noise impact from road traffic or nearby adjacent commercial uses including deliveries and plant / equipment. However, there are no commercial uses in close proximity to the site. In terms of road noise, given the location and context of the site which is surrounded by other neighbouring dwellings that provide buffers and with the nearest road being Catsash Road which is a B road located almost 30m away to the east with intervening dwellings, road noise is unlikely to require any mitigation and a noise assessment is not considered to be warranted.

8.10 **Movement:**

As previously noted, access to the site is accessed via a private single track lane off of Catsash Road. The lane is approximately 50m in length and also provides secondary access to the property known as 'Oakwood' located to the west of the application site, with primary access to this property being from Silure Way. The access lane is situated to the sides of two properties fronting Catsash Road; Swn-y-dwr and Woodside Cottage.

- 8.11 The Council's Highways officer has sought confirmation that the applicant has control over the access. The lane is included within the red site edge, and the applicant has signed Certificate A to confirm that it is within his ownership. The Council's Highways officer has requested conditions relating to visibility splays, lane surfacing and a construction management plan, noting the submission of a CEMP with the application but considers it to be insufficient in some regards. Subject to the imposition of conditions, no objection is offered. The applicant has confirmed their intention to resurface the lane within the Design Statement accompanying the application. The red edge stops short of Catsash Road, however, the Council's Highways officer has confirmed that the red line is adjacent to the extent of the adopted highway and the applicant has therefore demonstrated that the site has access to the adopted highway. Given that the red edge stops short of the adopted highway it is outside of the control of the applicant and they cannot control visibility splays as requested. However, the lane is existing with the occupants of the neighbouring dwelling said to have access rights and the former dwelling at the application site also utilised it. As such, a condition is not considered to be justified.

- 8.12 Concerns have been raised from a neighbouring occupier with regard to the proximity of the garage to the lane and the subsequent visibility limitations. The Council's Highways officer raises no concerns with regard to this and considers there to be sufficient visibility.

- 8.13 The proposals are not considered to result in an adverse highways or pedestrian impact.

8.14 **Drainage/ Flooding:**

As noted previously, there is a brook running parallel to the eastern boundary of the site and this is located within Flood Zones 2 and 3 for surface water and small watercourses in accordance with the FMfP. The application has had regard to this, and it is identified on the site plans. Whilst located outside of the site, being directly adjacent suitable regard must be had to any potential implications and increased risk as a result of the proposals. The application is accompanied by a Drainage Report which references the watercourse and the applicant has confirmed that they are at pre-application stage with SAB and the submission includes reference to SUDs features and there is no reason for the LPA to doubt the ability of the developer to achieve SAB approval.

- 8.15 In terms of foul drainage, this is to be discharged to the mains equipment. Concerns have been raised by a neighbouring occupier with regard to the capability of the drainage infrastructure in the area. However, Dwr Cymru – Welsh Water confirm there is capacity and offer no objections to the proposals. Surface water is to be dealt with by SUDs and a condition prohibiting land drainage to connect with the public sewerage network has been requested by Dwr Cymru and is considered warranted.

8.16 **Landscaping/ Trees/ Biodiversity:**

Whilst there are no trees within the development site there are trees and hedgerow around the perimeter, and the application is supported by a Tree Survey. The Council's Landscape officer subsequently confirms no objections are offered to the proposals. The application is supported by landscape information which is also generally confirmed to be acceptable although the Council's Ecology officer has queried the use of Silver Birch to the landscape bund, which is discussed further below. The Council's Tree officer has objected on the basis that the house position is within the route protection area of a boundary hedge noting the ability to move the house outside of it. The siting of the house has subsequently been adjusted and the position moved 1.5m westwards within the plot and outside of the root protection area.

8.17 The application is accompanied by a Green Infrastructure Statement which sets out how the step-wise approach has been correctly applied to this development and an Ecological Appraisal. The application is supported by an ecological assessment and the Council's Ecology officer advises that the site supports a range of semi-natural habitats, and the species they support. The report confirms mitigation proposed in varying forms including retained habitats and features such as trees, biodiversity measures in the Landscape Proposals, biodiversity enhancements and green infrastructure recommendations and A Construction Environmental Management Plan. The Council's Ecologist advises that in principle these measures are agreed with. It is noted that the application does not propose any work to the section of the site north of the access road and it is therefore assumed that there will be no ecological impact in that area.

8.18 The Landscaping Proposals show an embankment and landscaping to the south of the site and the Council's Ecology officer has noted that there is reference to Silver Birch which has potential for a tall tree species such as this to be inappropriate adjacent to the boundary of the site. As all other aspects of the proposals are considered to be acceptable it is considered that a condition prohibiting the use of this species is warranted. This can be incorporated into the landscaping condition.

8.19 The Ecology officer is generally supportive of the proposals and the enhancement measures proposed (bird/bat boxes). The CEMP submitted with the application lacks information and so a condition to require the submission of a CEMP is warranted.

8.20 **Waste:**

There is ample waste storage within the site and waste and recycling receptacles will be brought to the site access for collection, as is common with properties situated on private access lanes such as this. The proposals are not considered to result in any adverse waste impacts.

8.21 **Other Issues**

Objections have been received from neighbouring occupants on the basis of land ownership and that the site boundaries have been drawn accurately. The plans have subsequently been updated during the course of the application. A request has been made by a neighbouring occupier that the correct site boundaries be acknowledged and a meeting is suggested in the interest of these matters. However, it should be noted that land ownership is not a material planning matter and the Local Planning Authority will not arbitrate on such matters, or rights of access that may or may not exist over the access lane. The granting of planning permission does not supersede any rights of land owners and if planning documents are inaccurate in terms of land ownership then it may ultimately not be possible to implement a permission. However, such matters are of a civil nature and the LPA has no powers adjudicate in this regard.

8.22 Concerns have also been raised with regard to the use of a stone bridge which the access lane spans and the potential instability of the bridge and impact of construction vehicles crossing over it. There is no information accompanying the application with regard to such matters and it is considered necessary to include a condition requiring further details in order to maintain access and the free flow of the watercourse.

8.23 Section 106 Planning Obligation matters

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:

In this case, the developer has provided information in relation to the viability of the planning obligations relevant to the scheme (officers must explain what information received, what viability issues raised and our assessment of them, how has this affected the planning obligation agreed by officers)?

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).

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 are 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 , Investment and Housing	Commutated contribution of £3212 for affordable housing provision based on a 20% target	N/A	Full Heads of Terms agreed	No

8.24 HEADS OF TERMS AGREED BY APPLICANT

Full Heads of Terms have been agreed.

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 proposals have merit given the location of the site within the urban boundary and its brownfield nature. The proposals are considered to constitute an acceptable standard of design and will afford the future occupants a high standard of amenity, without negatively impacting on the visual amenity of the area, or amenity of neighbouring occupants.

10.2 The proposals will not result in an adverse highways impact and suitable biodiversity enhancement and landscaping can be secured by condition.

10.3 The application is granted subject to a legal agreement to secure affordable housing contributions.

11. **DECISION**

GRANTED WITH CONDITIONS AND SUBJECT TO A SECTION 106 LEGAL AGREEMENT WITH DELEGATED AUTHORITY TO HEAD OF REGENERATION AND ECONOMIC DEVELOPMENT TO USE DISCRETION TO REFUSE IF NOT

SIGNED WITHIN 3 MONTHS OF A RESOLUTION

01 The development shall be implemented in accordance with the following plans and documents:

SD903 03A Elevations

SD903 08A Section details

SD903 02B Floor Plans

SD903 06C Landscaping

Drainage Strategy Report 23616_DSR

Site Assessment Survey August 2025

Detailed soft landscape proposals TDA.3155.01.A

Landscape Specification & Management Plan March 2026

Green Infrastructure Statement March 2026

Tree Survey Revision A dated 9th February 2026 by Wyn Davies

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

Pre- commencement conditions

02 No development, to include ground preparation or demolition, shall commence until an Arboricultural Method Statement has been produced to advise on tree protection measures, to include the specification for Arboricultural Watching Brief visits.

A suitably qualified Arboriculturalist will be appointed, as first agreed in writing by the Local Planning Authority, to oversee the project (to perform Arboricultural Watching Brief visits) for the duration of the development and who shall be responsible for:

- a) Pre-construction site meeting with the site manager and provision of a toolbox talk with all relevant construction teams
- b) Sign off all tree protection measures ensuring they are fit for purpose; correctly positioned and in place prior to any ground preparation work; demolition or construction activities commencing.
- c) Supervise any approved tree works including pruning or felling etc.
- d) Frequency of Arboricultural Watching Brief visits - weekly until item b) has been fully implemented to the satisfaction of the Project Arborist / Council's Tree Officer. Visits can then be reduced to fortnightly to include the supervision of work when they occur within or near any Root Protection Areas
- e) Ensuring compliance with all approved arboricultural documents
- f) Provide arboricultural advice for any unforeseen tree related matters and liaise with the Local Planning Authority.
- g) The Arboricultural Consultant will provide monthly site progress reports to the Council's Tree Officer.

Reason: To protect important landscape features within the site.

03 Notwithstanding the information submitted, no works shall take place on the site at all until a method statement comprehensively detailing the phasing and logistics of construction has been submitted to and approved in writing by the Council as Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The method statement shall include, but not be limited to:

- Construction traffic routes, including provision for access to the site entrance/exit from the site for visitors/contractors/deliveries
- Location of directional signage within the site
- Siting of temporary containers
- Parking for contractors, site operatives and visitors
- Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of demolition/construction
- Temporary roads/areas of hard standing
- Schedule for large vehicles delivering/exporting materials to and from site and details of manoeuvring arrangements
- Storage of materials and large/heavy vehicles/machinery on site
- Details of street sweeping/street cleansing/wheelwash facilities
- Details for the recycling/disposing of waste resulting from demolition and construction

works

- Hours of working

- Phasing of works including start/finish dates.

- Procedures for maintaining good public relations including complaint management, public consultation and liaison

- Arrangements for liaison with the Newport City Council Noise & Neighbourhood Team

- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

- Measures to mitigate demolition dust and material causing a nuisance to local residents, for example sheeting of loads and wheel washing apparatus

- Procedures for maintaining good public relations including complaint management, public consultation and liaison

- Mitigation measures as defined in BS 5228: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.

For the avoidance of doubt all construction vehicles shall load/unload within the confines of the site and not on the highway. The development shall be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Council as Local Planning Authority.

Reason: To ensure that adequate on-site provision is made for construction traffic, including allowance for the safe circulation, manoeuvring, loading and unloading of vehicles, as well as parking, and to reduce impact on residential amenity and the general amenity of surrounding occupiers in accordance with Policies GP2 and GP4 of the NLDP.

04 Prior to the commencement of development full details of any new boundary treatments shall be submitted to the Local Planning Authority and written approval received. The development shall be carried out in accordance with the approved details and retained as such for lifetime of development.

Reason: In the interests of neighbouring amenity, tree protection and highway safety and in accordance with Policies GP2, GP5 and GP4 of NLDP.

05 Notwithstanding the information submitted, no construction works (including site set up) shall take place on the site at all until information relating to the structural integrity and capacity of the bridge crossed by the site vehicular access have been submitted to and approved in writing by the Local Planning Authority. Such information shall include current survey information by a qualified structural engineer along with any repairs, mitigation/remediation or works required to strengthen the bridge to safely accommodate construction vehicles . Thereafter the works to the bridge shall be carried out in accordance with the approved details prior to the commencement of any construction activity or site set up.

Reason: To ensure the structural integrity of the bridge and that any necessary repairs are carried out and the watercourse is not impacted in accordance with Policies SP1 and GP4 of the NLDP.

Pre –occupation conditions

06 Prior to the first beneficial occupation of the dwelling hereby approved off road parking shall be provided in accordance with the approved plans. All off road parking spaces shall be kept free of obstruction and available for the parking of vehicles for the lifetime of development.

Reason: To ensure there is adequate parking provision at the property in the interests of highway safety, in accordance with Policy GP4 of NLDP.

07 Prior to the occupation of the dwelling as hereby approved, privacy screens shall be installed along the western side of the roof terrace adjacent to the boundary with Oakwood and the eastern side of the terrace adjacent to Woodside in accordance with full details that have first been submitted to and approved in writing by the Local Planning Authority. These details shall include height, location, design and materials for the screens and extent of obscuring if glass screens are proposed. The screen shall be retained for lifetime of development and no other part of the roof of the property that is not enclosed by an approved privacy screen shall be used in any form as a balcony, roof terrace or sitting out area.

Reason In the interests of residential amenity in accordance with GP2 of the NLDP.

08 Before the access is used for vehicular purposes, that part of the access extending from the nearside edge of the highway boundary of Catsash Road for a minimum distance of 5 metres into the site shall be appropriately paved in a bound material such as tarmacadam, concrete, block pavements or other material approved in writing by the Council as Local Planning Authority.

Reason: To prevent loose surface material/debris from being carried on to the public highway thus causing a potential source of danger to other road users in the interests of road safety in accordance with Policy GP4 of NLDP.

09 Prior to the first beneficial use of the dwelling as hereby approved, biodiversity enhancement shall be provided in accordance with the approved details and thereafter be retained for lifetime of development.

Reason: To ensure there is adequate biodiversity enhancement in accordance with Policy GP5 of NLDP.

General conditions

10 The scheme of landscaping, tree planting and management schedule hereby approved shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the completion of the development and notwithstanding the information provided, the bund shall not be planted with Silver Birch Trees. Thereafter the trees 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. For the purpose of this condition, a full planting season shall mean the period from October to April.

Reason: To secure the satisfactory implementation of the proposal in accordance with Policy GP5 of NLDP.

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.

12 Any gate or other form of barrier across the access shall be positioned at least 5m back from the nearside edge of the highway boundary of Catsash Road and shall be constructed to open into the site only.

Reason: To permit vehicles to pull clear of the carriageway when entering the site in the interests of road safety in accordance with Policy GP4 of the NLDP.

13 No first floor window or door openings (other than those shown on the approved plans) shall be formed in any elevation of the building hereby approved.

Reason: To protect the privacy and perceived overlooking of adjoining residents in accordance with Policy GP2 of the NLDP.

14 All openings labelled as obscure on the approved plans shall be obscure glazed to minimum Pilkington Level 4 at the time of installation and shall thereafter be retained in such state.

Reason: In the interests of neighboring amenity in accordance with Policy GP2 of the NLDP.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site location plan SD903 07 January 2026
SD903 03A May 2026 Elevations
SD903 08 Section details
SD903 02A Floor Plans and Block Plan

SD903 06C Landscaping
SD903 04B
Drainage Strategy Report 23616_DSR
Site Assessment Survey August 2025
Detailed soft landscape proposals TDA.3155.01.A
Landscape Specification & Management Plan March 2026
Green Infrastructure Statement March 2026
Tree Survey Revision A dated 9th February 2026 by Wyn Davies
Topographical Survey.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP9, SP10, SP13, GP2, GP4, GP5, GP6, GP7, H2, H4, T4 and W3 were relevant to the determination of this application.

03 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.

04 The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition.

Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.