

# Delegated Decision Report

|                        |                |                                  |                       |
|------------------------|----------------|----------------------------------|-----------------------|
| <b>Application No:</b> | <b>26/0328</b> | <b>Statutory Period Expires:</b> | <b>25th June 2026</b> |
|------------------------|----------------|----------------------------------|-----------------------|

|                   |                                                                                                                                                                                                                                 |              |                 |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------------|
| <b>Site:</b>      | <b><i>Caerleon Comprehensive School Cold Bath Road Caerleon Newport South Wales</i></b>                                                                                                                                         |              |                 |
| <b>Proposal:</b>  | <b><i>PARTIAL DISCHARGE OF CONDITION 04 (FOUL WATER DRAINAGE SCHEME) OF 25/1030 CONSTRUCTION OF A NEW SPORTS AND TEACHING FACILITY INCLUDING ALTERED PARKING ARRANGEMENTS AND ASSOCIATED LANDSCAPING AND INFRASTRUCTURE</i></b> |              |                 |
| <b>Applicant:</b> | <b><i>Newport City Council</i></b>                                                                                                                                                                                              |              |                 |
| <b>Type:</b>      | <b>Discharge Conditions</b>                                                                                                                                                                                                     | <b>Ward:</b> | <b>Caerleon</b> |
| <b>Decision:</b>  | <b>APPROVED</b>                                                                                                                                                                                                                 |              |                 |

## 1. BACKGROUND

- 1.1 Full planning permission was granted subject to conditions earlier this year and subject to several pre commencement conditions.

## 2. SITE LOCATION AND CONTEXT

- 2.1 The school is located at the southern edge of Caerleon. The school site is accessible from Cold Bath Road and an unnamed road adjacent to Caerleon AFC football pitch. The application site is bound to the north by the Caerleon Cemetery and the Cold Bath Road allotments. Caerleon golf course bounds the site to the west. Further to the south, the River Usk forms a natural curving boundary to the golf course. Caerleon Rugby club is located to the south-east of the site, whilst the Roman Barracks are to the north-east. Some boundaries are defined by mature vegetation.
- 2.2 The site is located within the urban boundary and within the Caerleon Archaeologically Sensitive Area. It is situated close to the Caerleon Conservation Area; Scheduled Ancient Monument(s); Countryside; River Usk Special Landscape Area; and an Area of Safeguarding of Mineral Resource.
- 2.3 The approved development includes the construction of new sports and teaching facilities, including altered parking arrangements and landscaping.

## 3. DESCRIPTION OF DEVELOPMENT

- 3.1 Condition 04 states:

*No development shall commence until a foul water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul water flows and thereafter implemented in accordance with the approved details prior to the occupation of the development.*

*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.*

The condition was requested by Welsh Water.

## 4. RELEVANT SITE HISTORY

| <b>App Number</b> | <b>Proposal</b>                                                                                                                         | <b>Decision</b>         | <b>Decision Date</b> |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------|
| 25/1030           | CONSTRUCTION OF A NEW SPORTS AND TEACHING FACILITY INCLUDING ALTERED PARKING ARRANGEMENTS AND ASSOCIATED LANDSCAPING AND INFRASTRUCTURE | GRANTED WITH CONDITIONS | 04/03/2026           |

|         |                                                                                  |                        |            |
|---------|----------------------------------------------------------------------------------|------------------------|------------|
| 25/1033 | PRIOR APPROVAL FOR DEMOLITION OF BUILDINGS D1, D2, L G, H, A (PARTIAL), K AND D3 | PRIOR APPROVAL GRANTED | 05/02/2026 |
|---------|----------------------------------------------------------------------------------|------------------------|------------|

## **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)**

- SP1 Sustainability
- SP2 Health
- SP3 Flood Risk
- SP8 Special Landscape Areas
- SP9 Conservation of the Natural, Historic and Built Environment
- SP12 Community Facilities
- SP14 Transport Proposals
- SP18 Urban Regeneration
- GP1 Climate Change
- GP2 General Amenity
- GP4 Highways and Accessibility
- GP5 Natural Environment
- GP6 Quality of Design
- GP7 Environmental Protection and Public Health
- SP4 Water Resources
- T4 Parking
- W3 Provision for Waste Management Facilities in Development

### **5.4 SUPPLEMENTARY PLANNING GUIDANCE**

- Archaeology & Archaeologically Sensitive Areas (December 2025)
- Wildlife and Development (December 2025)
- Trees, Woodland Hedgerows and Development Sites (January 2017)
- Development Management Air Quality (February 2018)

## **6. CONSULTATION RESPONSES**

### **6.1 Welsh Water: No objection.**

SAB:

We have received a SAB application for the scheme which has been approved, with

conditions.

Natural Resources Wales:

We did not request condition 4 of 25/1030 which the application is seeking to discharge. Therefore, we do not have any comment to make on the application.

## **7. PUBLIC REPRESENTATIONS**

None.

## **8. ASSESSMENT**

- 8.1 Condition 04 was requested only by Welsh Water pursuant to comments received on the primary permission as follows:

*The proposed development site is located in the catchment of a public sewerage system which drains to Nash Wastewater Treatment Works (WwTW). We have considered the impact of foul flows generated by the proposed development and concluded that flows can be accommodated within the public sewerage system. However, with respect to the accompanying 'Proposed Foul Drainage Overview' (Drawing No. 0505), it is unclear where the development proposes to connect to and we would advise that a connection to the adjacent rising main is unacceptable under all circumstances. Therefore, for completeness, we recommend a foul drainage scheme pre-commencement condition.*

*Turning to surface water drainage, 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'. In this instance, we offer no objection to proposals for disposal of surface water flows into a private surface water sewer, in principle, subject to consultation and agreement with the regulatory body or riparian owner of this system.*

*Accordingly, if you are minded to grant planning consent for the above development, we would request that the following Condition and Advisory Notes are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets:*

### Condition

*No development shall commence until a foul water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul water flows and thereafter implemented in accordance with the approved details prior to the occupation of the development.*

*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*

- 8.2 Plans have been provided that set out the drainage strategy for the development and Welsh Water has confirmed that the details are acceptable.

## **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 Details have been provided to partially discharge condition 04 and those details are acceptable.

**11. DECISION**

**APPROVED**

*NOTE TO APPLICANT*

01 This decision relates to plan Nos:

- CB2183CAMXXXXDRC0505 REVP03.
- CB2183CAMXXXXDRC0506 REVP03,
- CB2183CAMXXXXDRC0507 REVP03,

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, GP2 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.

04 It is considered that the decision has been made in conformity with the Marine Policy

Statement (2011) and in accordance with marine national planning policy contained within the Welsh National Marine Plan (2019) as demonstrated in the assessment of this proposal.