

Delegated Decision Report

Application No:	25/1064	Statutory Period Expires:	16 th June 2026
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Site:	Llanwern Village Development Site, Cot Hill, Llanwern, Newport NP18 2DP		
Proposal:	PARTIAL DISCHARGE OF CONDITION 11 (CONSTRUCTION MANAGEMENT PLAN) & TREE PROTECTION ELEMENT OF CONDITION 24 (LANDSCAPING) IN RELATION TO PARCELS KNOWN AS HOLLIES 5 & 6 OF PLANNING PERMISSION 16/0864 FOR RESIDENTIAL DEVELOPMENT (UP TO 1100 DWELLINGS)		
Applicant:	S. Thomas		
Type:	Discharge Conditions	Ward:	Llanwern
Decision:	Approved		

1. BACKGROUND

1.1 The applicant is seeking to partially discharge condition 11 (Construction Management Plan) of Planning Permission 16/0864 for the construction of up to 1100 houses at Cot Hill near Llanwern village. The submitted CEMP also contains some tree and hedge protection elements which address requirements of Condition 24 (Landscaping). The discharge is in relation to the Hollies 5 & 6 phase of the scheme approved under Reserved Matters submission 24/0466.

1.2 The conditions read as follows:

11 CONSTRUCTION MANAGEMENT PLAN: *Prior to commencement of development (including site preparation) of any development parcel defined under Condition 02 (Phasing) or other area as agreed, or any access road works a construction management plan for that parcel or the access road works including details of any necessary means of mitigation against construction noise and vibration, provision of a noise management plan, details of any temporary site access/parking and the likely position of haul roads, details of the location of compounds for the storage of plant and materials, measures to prevent dust pollution and suitable plant and wheelwash facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and the approved measures shall remain in operation for the duration of the development of the parcel concerned.*

Reason: *In the interests of residential amenity and highway safety.*

24 LANDSCAPING: *Each landscaping scheme (which in the case of incidental areas of open space not covered by Public Open Space Areas referred to in the accompanying Section 106 Agreement shall be accompanied by a management plan detailing future maintenance) submitted in pursuance of Condition 01 (which in relation to tree/shrub planting shall include inter alia grass mixtures and the number, species, heights on planting and positions of all trees and shrubs as well as details of trees to be retained and measures to protect them during construction) 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 associated development. Thereafter, the trees and shrubs within incidental areas of open space (defined as those areas not covered by Public Open Space Areas referred to in the accompanying Section 106 Agreement) shall be adequately maintained for a period of 5 years (or as agreed in*

the management plan) from the date of planting and any which die or are damaged shall be replaced and maintained until satisfactorily established. For the purposes of this condition a full planting season shall mean the period from October to April inclusive.

Reason: *To safeguard the rights of control of the Local Planning Authority in these respects and to ensure that the site is landscaped in a satisfactory manner.*

2. SITE LOCATION AND CONTEXT

2.1 See above.

3. DESCRIPTION OF DEVELOPMENT

3.1 See above.

4. RELEVANT SITE HISTORY

Ref. No.	Proposal	Decision & Date
16/0864	VARIATION OF CONDITIONS 02 (RESERVED MATTERS), 03 (MASTERPLAN) AND 05 (DESIGN CODE) OF PLANNING PERMISSION 13/0806 FOR VARIATION OF CONDITION (TIME LIMITS) OF PLANNING PERMISSION 06/0845 FOR RESIDENTIAL DEVELOPMENT (UP TO 1100 DWELLINGS) AND PROVISION OF PRIMARY SCHOOL, VILLAGE CENTRE, PUBLIC OPEN SPACE, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE WORKS (AFFECTING PUBLIC RIGHTS OF WAY 397/3, 397/7, 397/9 AND 397/10 LLANWERN)	GC 23 June 2017
24/0466	RESERVED MATTERS APPLICATION FOR NEW HOMES, ASSOCIATED INFRASTRUCTURE AND LANDSCAPING AT PARCELS KNOWN AS HOLLIES 5 AND HOLLIES 6 PURSUANT TO OUTLINE PLANNING PERMISSION 16/0864 FOR RESIDENTIAL DEVELOPMENT OF UP TO 1100 DWELLINGS AND PROVISION OF PRIMARY SCHOOL, VILLAGE CENTRE, PUBLIC OPEN SPACE, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE WORKS AFFECTING PUBLIC RIGHTS OF WAY 397/3, 397/7, 397/9 AND 397/10, AND DETAILS TO DISCHARGE CONDITIONS 5 (BUILDING MATERIALS), 6 (HARDSCAPING MATERIALS), 7 (BOUNDARY TREATMENTS), 9 (HIGHWAY CONSTRUCTION DETAILS), 12 (DRAINAGE), 21 (PARKING) AND 24 (LANDSCAPING)	AC 01 April 2026

5. PLANNING POLICY

5.1 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

GP2 – Amenity

GP7 – Environmental Protection

6. CONSULTATION RESPONSES

6.1 NCC Environmental Health: No objection.

6.2 NCC Highways: No objection

7. PUBLIC REPRESENTATIONS

No neighbour consultations were undertaken for this application.

8. ASSESSMENT

8.1 The applicant has submitted a Construction & Environment Management Plan (CEMP) and various supporting documents. These address the key environmental issues on the site and the specific elements of the condition and have not attracted objection from consultees.

8.2 Tree protection is shown as part of the CEMP and whilst this is not expressly sought under the CEMP condition it does feature as part of the Landscaping condition. The plan identifies tree and hedge removals as well as the location and type of protective fencing to be installed for the duration of construction works.

8.3 Although not specifically sought the CEMP contains information on the management of construction surface water on this site which is necessary due to the sloping character of these phases.

8.4 The submitted information is acceptable and can be approved.

9. OTHER CONSIDERATIONS

9.1 ***Crime and Disorder Act 1998***

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 ***Equality Act 2010***

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

9.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

9.5 ***Planning (Wales) Act 2015 (Welsh language)***

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 *Newport's Well-Being Plan 2018-23*

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. CONCLUSION

10.1 The submitted information is acceptable and can be approved.

11. DECISION

Approved

NOTE TO APPLICANT

01 This decision relates to the following plans & documents:

- Unnumbered Drawing - Hollies 5 & 6 - Delivery route and contractor parking (Revision A)
- Construction Environmental Management Plan (August 2025)
- CEMP Appendix 01 - Drawing 11395/P44a – Site Location; Hollies 5 & 6
- CEMP Appendix 02 - Drawing HA714 - Execution Strategy Masterplan – GMP Hollies 5 & 6
- CEMP Appendix 03a – Ecological Management Plan
- CEMP Appendix 03b - Drawing 315591 27605 C01 - Surface Water Management Plan Inspection Update Drawing
- CEMP Appendix 04a - Drawing DB SD13 008 D – Generic Standard (External) Site Compound
- CEMP Appendix 05 - Drawing 22-036 Hollies 5 & 6 (Revision 4) - Tree Removal, Retention & Protection Plan Great Milton Park
- CEMP Appendix 06 – Pollution Prevention Guidelines (Oil Storage)
- CEMP Appendix 07 – Construction Site Dust Code
- CEMP Appendix 08a - Construction Site Silt & Mud Control
- CEMP Appendix 08b – Silt Stop, Installation Guide
- CEMP Appendix 09 – Waste management (July 2019)
- CEMP Appendix 10 – Construction Site Noise Code
- CEMP Appendix 11 – Ecological Assessment

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2 & GP7 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 This discharge relates to the area of Phases Hollies 5 & 6 approved under 24/0466.