

Notice of Decision



L Hopkins
The Urbanists Ltd
Westgate House
11 Womanby Street
Cardiff
CF10 1BR

SECTION 96A OF THE TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/1000**

Application Type: **Non-Material Amendment**

Proposal: **NMA APPLICATION TO VARY CONDITION 3 (APPROVED PLANS) OF 19/0439 REMOVAL OF CONDITION 30 (ACOUSTIC BARRIER/BUND) AND VARY CONDITIONS 01 (RESERVED MATTER REQUIREMENTS OUTSIDE LOCKED DOWN AREA), 02 (RESERVED MATTERS REQUIREMENT WITHIN LOCKED DOWN AREA), 03 (PLANS), 13 (IMPORTATION OF MATERIAL), 14 (PHASING), 15 (BOULEVARD TREE PLANTING), 19 (COIL COLOUR VEHICLE ACCESS), 21 (REMEDIATION VERIFICATION REPORT), 22 (MANAGEMENT AND MAINTENANCE PLAN OF PHASE 4), 28 (BIO DIVERSITY AND ECOLOGY ENHANCEMENTS), 33 (ECO-PARK PEDESTRIAN CROSSING POINTS), 34 (ECO-PARK BOUNDARY TREATMENTS), 35 (DRAINAGE), 41 (MONBANK FOOTPATH LINK), 43 (LAYOUT AND HEIGHT PARAMETERS OF APARTMENT BLOCK IN LOCKED-DOWN AREA), 48 (ASSISTED LIVING UNITS) OF PLANNING PERMISSION 15/0775 FOR CONSTRUCTION OF 529NO. RESIDENTIAL UNITS, 24NO. ASSISTED LIVING UNITS, PUB/RESTAURANT, RETAIL UNITS, PRIMARY SCHOOL AND ASSOCIATED LANDSCAPE AND HIGHWAY INFRASTRUCTURE**

Site/Location: **Land Formerly Known As Whitehead Works, Mendalgief Road, Newport, South Wales,**

Decision Date: **11th December 2025**

In pursuance of its powers under the above Act the Council of the City of Newport notifies you of its decision in respect of your application, registered by them on 21st November 2025. The application has been:-

Refused

Reason(s) for refusal:

1. The proposal to alter the approved public open space would result in an amendment that is more than non material.

NOTE TO APPLICANT

The plans have been assessed on the basis of the scale or dimensions stipulated and any statement of 'do not scale' (or similar) has been disregarded.

1. This decision relates to plan Nos: 17020 (05) 100 Rev A - Site Location Plan; The Urbanists Covering Letter Reference 2507/01; 17073-90-102 D - Proposed Areas of POS; 14022(05)106 E - Final Parameter Plans - Public Open Space and Landscaping.
2. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). No policies were relevant to the determination of this application.

3. 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.

Signed on behalf of the Council



Newport City Council
Regeneration and Economic Development
Civic Centre
Newport
South Wales
NP20 4UR

Tracey Brooks Bsc Hons Dip TP MRTPI ILM
Pennaeth Adfywio a Datblygu Economaidd / Head of Regeneration and Economic Development
Cyngor Dinas Casnewydd / Newport City Council

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IMPORTANT! PLEASE READ THE NOTES ON THE REVERSE OF THIS FORM

Notes for Applicants

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Appeals to the Welsh Government

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission or grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act (as amended).
- Appeals must be made within a prescribed time period that is dependent on the application type. These time periods along with further information on the appeals process are available here and should be checked immediately: [Planning appeals | Sub-topic | GOV.WALES](#)
- Appeals in respect of:
 - Householder and 'minor commercial' development must be received within 12 weeks from the date of the decision notice;
 - Advertisement consent applications must be received within 8 weeks from the date of the decision notice; and,
 - Other types of planning application must be received within 6 months from the date of the decision notice.

Appeal forms can be downloaded at Planning Casework (gov.wales) or are obtainable from Planning and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ, email PEDW.Casework@gov.wales

- The Welsh Ministers can allow a longer period for giving notice of an appeal, but are not normally prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Welsh Ministers do not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices

- If either the Local Planning Authority or the Welsh Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).