

Notice of Decision



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SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0744**

Application Type: **Renewals and Variation of Conditions**

Proposal: **S73 APPLICATION FOR VARIATION OF CONDITIONS 1 (APPROVED PLANS), 14 (GATES), 15 (VISIBILITY SPLAYS) AND 16 (FENCING OF 24/0121 FOR DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF A NEW MULTI-USE CANTEEN/HALL BUILDING, NEW GAMES COURT, LANDSCAPING, CYCLE AND CAR PARK RECONFIGURATION**

Site/Location: **St Marys Roman Catholic Primary School , Queens Hill, Newport, NP20 5HJ**

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 19th September 2025. The application has been:-

Granted with Conditions

ADDITIONAL CONDITIONS IMPOSED BY THE COUNCIL

1. The development shall be implemented in accordance with the following plans and documents:
 - SMS-MCC-00-XX-D-E-9002-External Electrical Services Layout
 - SMS-HLM-XX-00-D-L-0009 SITE SECTIONS
 - SMS-CAM-XX-00-D-C-0610-P07- Proposed Levels (Sheet 1 of 2)
 - SMS-CAM-XX-00-D-C-0611-P10-Proposed Levels (Sheet 2 of 2)
 - SMS-HLM-XX-00-D-0002-PROPOSED SITE PLAN AND LANDSCAPE MASTERPLAN
 - SMS-CAM-XX-00-D-C-0850-P06-S278 Highway Layout
 - SMS-HLM-XX-00-D-L-3021-HARD LANDSCAPE DETAIL PLAN 1
 - SMS-CAM-XX-00-D-C-0111-P05-Vehicle Tracking - Large Car
 - SMS-CAM-XX-00-D-C-0110-P05-Vehicle Tracking - Fire Tender
 - SMS-CAM-XX-00-D-C-1190-P04-Externals Construction Details
 - SMS-CAM-XX-00-D-C-0113-P05 - Vehicle Tracking - Refuse Vehicle Proposed Route
 - SMS-CAM-XX-00-D-C-0112-P05-Vehicle Tracking - Refuse Vehicle Existing Exit
 - SMS-HLM-XX-XX-RP-L-00080 Landscape Management Plan - P02
 - SMS-CAM-XX-00-D-C-P03-0622-Cut Fill Analysis Existing Stripped to Proposed Formation North
 - SMS-CAM-XX-00-D-C-P04-0621-Cut Fill Analysis Existing Stripped to Proposed Formation South
 - SMS-HLM-00-00-DR-30003 - Plant Area Elevations
 - SMS-HLM-00-00-DR-30002 - MUGA Elevations
 - CC2452-CAM-XX-XX-DR-C-0500-P11 Drainage Strategy Plan (Sheet 1 of 2)
 - CC2452-CAM-XX-XX-DR-C-0501-P11 Drainage Strategy Plan (Sheet 2 of 2)
 - CC2452-CAM-XX-XX-DR-C-1500-P05-Surface Water Catchment Analysis
 - SMS-HLM-01-00-DR-A-00101 - Proposed Ground Floor Plan

- 22-117a- Landscape Masterplan Base - Layout 2
- SMS-HLM-00-00-DR-L-00004 - Existing Site Plan - P01
- SMS-HLM-00-00-DR-L-00005 - Site Location Plan - P01
- SMS-HLM-00-00-D-0006 - BB99 Site Areas
- SMS-HLM-00-00-D-2501 - Fencing Plan
- 7190-MCP-V1-00-DR-E-4000 - Electrical Engineering Services Ground Floor - Security, CCTV & Access Control Layout
- 7190-MCP-V1-ZZ-DR-E-9001-A0P - Electrical Engineering Services External Lighting Layout
- SMS-HLM-XX-XX-SP-L-00601 - Landscape Specification P06
- SMS-HLM-00-00-D-4501 - Soft Landscaping Plan
- SMS-HLM-00-00-D-4502 - Tree Removal and Protection Plan
- SMS-HLM-01-ZZ-D-A-0102-Proposed Roof Plan-S4-P13
- SMS-HLM-01-ZZ-DR-A-0203-GA Elevations Sheet 1 Colour-S4-P06
- SMS-HLM-01-ZZ-DR-A-0204-GA Elevations Sheet 2 Colour-S4-P06
- SMS-HLM-01-ZZ-D-A-0301-GA Sections Sheet 1-S4-P13
- SMS-HLM-01-ZZ-D-A-0302-GA Sections Sheet 2-S4-P13
- CC2452-CAM-ZZ-XX-RP0C-0004_P01 - Road Safety Audit Stage 1+2 - Designers Response
- RW-DC-24-4465-RSA12 - Proposed School Development Access Arrangements
- Bat activity Survey
- 24/7338_NIA1 - Noise Impact Assessment
- SMS-HLM-XX-XX-RP-L-00080 Landscape Management Plan-P02
- CC2452-CAM-ZZ-XX-RP-TR-0002-P01 Transport Statement
- SMS-HLM-XX-XX-RP-A-00002-St Mary's RC School - Design and Access Statement - P05-01-15
- SMS-HLM-XX-XX-RP-A-00002-St Mary's RC School - Design and Access Statement - P05-16-30
- SMS-HLM-XX-XX-RP-A-00002-St Mary's RC School - Design and Access Statement - P05-31-45
- SMS-HLM-XX-XX-RP-A-00002-St Mary's RC School - Design and Access Statement - P05-46-52
- CC2452-CAM-XX-XX-RP-C-0003-P01-Drainage Strategy
- 22-117 BS5837 Survey St Mary's RC Primary School Aug 23_Ambler_SJ_
- Tree Survey, Categorisation & Constraints Report
- SMS-CAM-XX-00-D-C-0500-P11-Drainage Strategy Plan (Sheet 1 of 2)
- SMS-CAM-XX-00-D-C-0501-P11-Drainage Strategy Plan (Sheet 2 of 2) Preliminary Ecological Appraisal
- CC2452-CAM-ZZ-XX-RP-TR-0001-P02 - Travel Plan
- Planning Statement

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

2. 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:
 - oProcedures for maintaining good public relations including complaint management, public consultation and liaison
 - oArrangements for liaison with the Newport City Council Noise & Neighbourhood Team
 - oDeliveries to and removal of plant, equipment, machinery and waste from the site must only take place within permitted hours
 - oMitigation 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.
 - oProcedures for emergency deviation of the agreed working hours.
 - oMeasures for controlling the use of site lighting whether required for safe working or for security purposes.
 - oMeasures 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
3. No operations of any description (this includes all forms of development, tree felling, tree pruning, temporary access construction, soil moving, temporary access construction and operations involving the use of motorised vehicles or construction machinery), shall commence on site in connection with the development until the root protection barrier fencing has been installed in accordance with the approved Landscape plan and Tree Removal and Protection Plan. No excavation for services, storage of materials or machinery, parking of vehicles, deposits or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within the root protection area. All weather notices shall be erected on Heras fencing, 1 per 10 panels, stating 'Construction Exclusion Zone No Access'. The fencing shall be retained for the full duration of the development, and shall not be removed or repositioned without the prior written approval of the local planning authority.

Reason: to protect important landscape features within the site
4. No development shall commence until a 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, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

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.
5. Prior to the first beneficial use of the hall building hereby approved, fumes from the food preparation areas shall be mechanically extracted and the extraction system shall be provided with de-greasing and de-odorising filters. Details of the extraction equipment (including scaled schematics, location plans, odour attenuation measures and future maintenance) shall be submitted to and approved in writing by the Local Planning Authority prior to its installation, and the equipment shall be installed in accordance with the approved details prior to the commencement of use for the cooking of food.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected and in the interests of visual amenities.

6. Prior to the first beneficial use of the car park hereby approved, a scheme for the provision of electric vehicle charging points shall be submitted to and approved in writing by the Local Authority implemented in accordance with the plans hereby approved and shall be retained thereafter in perpetuity.
Reason: To provide a positive contribution toward sustainability in accordance with Policy SP1 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).
7. The approved scheme 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 that development. Thereafter, the trees and shrubs shall be maintained for a period of 5 years from the date of planting in accordance with an agreed management schedule. Any trees or shrubs 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.
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.
8. Except where otherwise agreed in writing by the Local Planning Authority or where shown on the plans hereby approved, no existing trees shall be felled, topped or lopped, and no existing hedges shall be removed.
Reason: To protect existing landscape features on the site.
9. Any unforeseen ground contamination encountered during development, to include demolition, shall be notified to the Local Planning Authority as soon as is practicable. Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, an appropriate ground investigation and/or remediation strategy shall be submitted to and approved in writing by the Local Planning Authority, and the approved strategy shall be implemented in full prior to further works on site. Following remediation and prior to the occupation of any building, a Completion/Verification Report, confirming the remediation has been carried out in accordance with the approved details, shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.
10. Prior to import to site, soil material or aggregate used as clean fill or capping material shall be chemically tested to demonstrate that it meets the relevant screening requirements for the proposed end use. This information shall be submitted to and approved in writing by the Local Authority. No other fill material shall be imported onto the site.
Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.
11. The development shall be undertaken in accordance with the mitigation measures set out in the Bat Survey Report dated June 2024 E24124101/Doc 01 by Soltys Brewster Ecology
Reason: In the interests of protected species.
12. Noise emitted from plant and equipment located at the site shall be controlled such that the rating level, calculated in accordance with BS4142:2014+A1:2019, does not exceed a level of 5dB below the existing background level, with no tonal element to the plant.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.
13. Notwithstanding the submitted plans, the Gradient of the new access hereby approved shall not exceed 1:12 unless the Local Planning Authority agrees in writing to any variation.
Reason: In the interests of highway safety.
14. Prior to beneficial use of the car park hereby approved, gates shall be installed set back 12.4 metres from the footway on Queens Hill and designed to open inwards into the site, as detailed in plan SMS-HLM-XX-00-D-0009-SITE SECTIONS. The gates shall be retained in this state for the duration of the development.
Reason: In the interests of highway safety.
15. Prior to beneficial use of the car park hereby approved, a 2.4 metre by 25 metre vehicular visibility splays and a 2 metre by 2 metre pedestrian visibility splays shall be provided in both directions in accordance with drawing entitled 'Section 278 highway layout SMS CAM XX 00 DC 0850 Rev P06.
Reason: In the interests of highway safety.
16. Boundary treatments shall be implemented in accordance with plan SMS-HLM-XX-00-D-2501-FENCING PLAN. The approved means of enclosure shall be retained thereafter in perpetuity.
Reason: In the interests of residential amenities

NOTE TO APPLICANT

The development shall be carried out fully in accordance with the proposals shown in the application and in the plans and particulars accompanying such application as varied and amended by this permission.

1. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP1,

SP4, SP10, SP13, SP18, GP1, GP2, GP3, GP4, GP6, GP7, H1, H2, H3, H4, T4 and W3 were relevant to the determination of this application.

2. 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.
3. The amended Wildlife and Countryside Act 1981 protects bird species whilst nesting in the UK. This protection extends to a bird, its nest, eggs, and young until such time as the young have fledged. Vegetation clearance should proceed outside the peak bird-breeding season (generally considered to be March through August inclusive) or within the breeding season only if a preclearance survey shows no breeding birds to be present, nesting or commencing nesting within the vegetation to be affected.
4. The applicant will be required to enter into an Agreement under Section 278 of the Highways Act, 1980 with the Council to facilitate the access works.
5. To encourage the uptake of active travel (cycling and walking) in efforts to reduce vehicle numbers resulting in an improvement in air quality and reduction in carbon emissions it is recommended sufficient cycle storage and shower facilities are provided for staff and visitors.
6. The approved use should investigate an adequate grease trap to be fitted, in accordance with environmental health regulations, and maintained thereafter so as to prevent grease entering the public sewerage system.
7. 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
8. 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.
9. 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.

Signed on behalf of the Council



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Application Number: 25/0744

Decision Date: 11th December 2025

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).