

Notice of Decision



L Hughson-Smith,
Asbri Planning
1st Floor Westview House
Unit 6, Oak Tree Court, Mulberry Drive
Cardiff Gate Business Park
Cardiff
CF23 8RS

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

Application No: 15/1231
Application Type: Non-Material Amendment
Proposal: NON MATERIAL AMENDMENT TO EARTH EMBANKMENTS TO EASTERN AND WESTERN BOUNDARIES GRANTED PERMISSION UNDER APPLICATION 13/1279.
Site/Location: Land To South Of Glan Usk Primary School, Herbert Road, Newport
Decision Date: 10-Dec-2015

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 18-Nov-2015. The application has been:-

Approved & Conditions

01 The development shall be carried in accordance with:
• Drawing sw49(04) 01K – Proposed Site Layout

Reason: to comply with Paragraph 5.30 & 5.31 of Welsh Government Circular 016/2014

NOTE TO APPLICANT

This decision must be read in conjunction with planning permission 13/1279 and 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.

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.

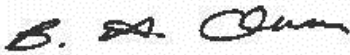
1. None conditioned plans submitted with this application were:
• Drawing sw49(04) 01J – Proposed Site Layout
2. The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). No policies were relevant to the determination of this application.
3. This decision must be read in conjunction with the decision notice for permission 13/1279 which contains conditions and planning obligations which are relevant to and enforceable upon the development amended in this approval.
4. Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

Where there are conditions which require details to be approved prior to the commencement of development, failure to submit these details prior to commencement of development may result in the permission being invalidated.

The Local Planning Authority has a target to determine Discharge of Condition applications within 8 weeks of receipt of the details, and so you are advised to programme any work accordingly.

Signed on behalf of the Council

Newport City Council
Regeneration, Investment and Housing
Civic Centre
NEWPORT
South Wales
NP20 4UR



Beverly Owen
Head of Regeneration, Investment and Housing
Pennaeth Adfywio, Buddsoddi a Thai

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



Notes for Applicants

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Welsh Government

If you are aggrieved by the decision of your Local Planning Authority to refuse an application or to grant it subject to conditions, you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice. However, if you are appealing against a decision relating to a householder or minor commercial development the time limit for lodging the appeal is 12 weeks.

Appeals must be made using a form which you can get from the Welsh Government, Planning Inspectorate at Crown Buildings, Cathays Park, Cardiff CF10 3NQ, or online at www.planningportal.gov.uk/pcs

The Welsh Government can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Welsh Government will not consider an appeal if it seems that the Local Planning Authority could not have granted permission for the proposed development or could not have granted it without the condition 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 Government does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by them.

The Choice of Appeal Procedure

The appeal procedures available are:

- a) by written representations which you and the Local Planning Authority make, normally followed by an unaccompanied site inspection
- b) by Hearing, when both parties make oral representations to an Inspector appointed by the Welsh Government. A Hearing is conducted on a less formal basis than a Public Inquiry.
- c) by Public Inquiry which takes the form of a formal hearing by an Inspector appointed by the Welsh Government.

Purchase Notices

If either the Local Planning Authority or the Welsh Government refused planning permission or listed building consent or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial 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 local planning authority in whose area the land is situated.

This Notice will require the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990. (The Local Planning Authority may accept the notice and proceed to acquire the land; or reject the notice in which case they must refer the notice to the Welsh Government.)