

Delegated Decision Report

Application No:	26/0518	Statutory Period Expires:	3rd September 2026
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Site:	<i>Church Farm Waltwood Road Llanmartin Newport NP18 2EB</i>		
Proposal:	<i>PARTIAL DISCHARGE OF CONDITION 6 (PLANTING AND BIODIVERSITY) OF CAS-04703-L3C4W2 CHANGE OF USE OF AGRICULTURAL LAND TO A DOG WALKING AREA (SUI GENERIS)(RETROSPECTIVE)</i>		
Applicant:	<i>A Willett</i>		
Type:	Discharge Conditions	Ward:	Bishton And Langstone
Decision:	APPROVED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 This application relates to Church Farm, Waltwood Road, Llanmartin.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks partial discharge of condition 6 (planting and biodiversity) of CAS-04703-L3C4W2 which states:

The use hereby permitted shall cease and all associated operational development be removed from the site within 6 months of the date of failure to meet any one of the requirements set out below:

- i. Within 3 months of the date of this decision, the submission of a planting scheme for the site (showing the number, species, heights on planting and positions of all trees and shrubs) and an associated scheme of biodiversity enhancements. Both schemes shall include an implementation timetable and a management schedule. Any approved scheme(s) shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the approval of that scheme. Thereafter, the planting shall be maintained for a period of 5 years from the date of planting in accordance with the agreed management schedule that shall have been submitted with that planting scheme. 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 inclusive. All agreed biodiversity measures shall be retained as agreed for the lifetime of the development and managed in accordance with any agreed management schedule.
- ii. If within 9 months of the date of this decision the local planning authority refuse to approve the submitted schemes or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Welsh Ministers.
- iii. If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted scheme(s) shall have been approved by the Welsh Ministers.
- iv. The approved details shall have been carried out and completed in accordance with the approved timetable.

Reason: In the interests of residents' living conditions, the character and appearance of the area, and biodiversity, in accordance with policies GP2, GP5 and GP6 of the Newport Local Development Plan 2011-2026.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision
24/0813	CHANGE OF USE OF AGRICULTURAL LAND TO A DOG WALKING AREA (SUI GENERIS) (RETROSPECTIVE)	APPEAL ALLOWED (REF:CAS-04703-L3C4W2)

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)

Policies SP9 and GP5 are relevant to the determination of this application.

6. CONSULTATION RESPONSES

6.1 LANDSCAPE OFFICER: No objections. A mixed hedgerow with occasional trees is now shown on the plans, to be planted along the east boundary but on the field side of the public footpath. The tree size is not specified, but should be confirmed [as feathered to 2.5m height or as 6/8cmg standard trees] as a minimum and should be tagged to avoid accidental cutting of the tree leader until established.

7. PUBLIC REPRESENTATIONS

7.1 None.

8. ASSESSMENT

8.1 The following information has been submitted to discharge part a of condition 5:

- Planting and Biodiversity Enhancement Scheme Condition No 6 July 2026 v3
- Green Infrastructure Plan July 2026 v3

The Landscape Officer has reviewed this information and advised that it is sufficient to discharge part a of condition 6. The submitted information has also been updated to confirm specimens will be feathered to 2.5m height or as 6/8cmg standard trees as requested by the Landscape Officer. The application is therefore 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 information provided to partially discharge condition 6 is acceptable and the application is approved.

8. **DECISION**

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: Planting and Biodiversity Enhancement Scheme Condition No 6 July 2026 v3 and Green Infrastructure Plan July 2026 v3.

02 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.

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.