

Delegated Decision Report

Application No:	25/0799	Statutory Expires:	Period	13th May 2026
Site:	St Woolos Primary School Stow Hill Newport South Wales NP20 4DW			
Proposal:	SITING OF 2 NO. STORAGE CONTAINERS FOR USE AS COMMUNITY EDUCATION PROJECT BIG BOCS BWYD			
Applicant:	R Milton			
Type:	Full	Ward:	Stow Hill	
Decision:	GRANTED WITH CONDITIONS			

1. BACKGROUND

- 1.1 The proposal has been amended since its original submission to reduce the number of containers from three to two. In addition, the containers have been relocated further away from the site frontage, the colour of the containers has been changed from blue to green and screening on the Stow Hill side of the containers has been added.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site forms part of the existing St Woolos Primary School site. The site is located to the north of the main school building and is roughly rectangular in shape.
- 2.2 The Proposals Map contained within the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) identifies the site as being within the defined limits of development. The site is shown as being within the Town Centre Archaeologically Sensitive Area and outside of but in close proximity to both the St Woolos and the Town Centre Conservation Areas. The application site is not subject to any constraints identified by the Constraints Map contained within the LDP.
- 2.3 The St Woolos Primary School building is Grade II listed and described by the list description as *'Early C20 school built in 1904 in the Baroque style on the site of some almshouses. The school was commandeered by 3rd Western General Hospital around June 1915 and used for accommodation for medical staff for Woolaston House War Hospital. An incised graffito reading U.S. ARMY on a left-side windowsill likely dates from WWII when United States Army troops were billeted at the school prior to D-Day. Still in use as a school.'*

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks full planning permission for the siting of 2 no. storage containers which would be used to accommodate the community education project known as *'Big Bocs Bwyd'*.
- 3.2 Big Bocs Bwyd is a Welsh Government funded initiative, primarily situated in school yards, that tackles food poverty and waste by providing affordable food through 'pay-as-you-feel' shops. Housed in converted shipping containers, these hubs educate children on food literacy (growing/cooking) and offer surplus food from supermarkets to the community.
- 3.3 The proposed shipping containers would be sited to the north of the main school building, set back from the front of the site by approximately 5 metres. Each container would measure 2200mm x 2430mm and reach a height of 2438mm. The containers would be enclosed on all sides other than their front elevations which face north. Power to the containers would be provided by an electrical cable routed from a classroom socket via the frame of a modern replacement window and access to the containers would be via the existing school building.
- 3.4 The container would be finished in RAL 6007, which is a bottle green shade. It is also proposed to install 3 no. 600mm x 400mm timber trellis planters on the eastern side of the container nearest the site frontage. The planters would be 1800mm high.

4. RELEVANT SITE HISTORY

- 4.1

Application Number:	Proposal:	Decision:	Decision Date:
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25/0542	PROPOSED DEVELOPMENT OF ASTRO TURF PLAY AREA (195 SQUARE METRES) AND TIMBER VERTEX PLAY FRAME WITH EPDM GROUND SURFACING BELOW (49.87 SQUARE METRES) AND LOW LEVEL PICKET FENCING	Granted with Conditions	20.11.2025
22/0816	PARTIAL DISCHARGE OF CONDITIONS 5 (MATERIALS) AND 6 (METHODOLOGY) RELATING TO LISTED BUILDING CONSENT 22/0359 FOR THE CLEANING OF STONWORK AND REPLACEMENT OF 14 SILLS	Approved	09.09.2022
22/0359	LISTED BUILDING CONSENT FOR THE CLEANING OF STONWORK AND REPLACEMENT OF 14NO. SILLS	Granted with Conditions	21.07.2022
19/0834	CHANGE OF USE FROM BOXING CLUB AND INTERNAL AND EXTERNAL REFURBISHMENT AND ALTERATIONS TO PROVIDE AN EDUCATIONAL DINING	Granted with Conditions	09.06.2020
19/0783	LISTED BUILDING CONSENT FOR CHANGE OF USE FROM BOXING CLUB AND INTERNAL AND EXTERNAL REFURBISHMENT AND ALTERATIONS TO PROVIDE AN EDUCATIONAL DINING AND COMMUNITY FACILITY	Granted with Conditions	29.06.2020
18/1182	NEW GATE TO THE FRONT OF THE SCHOOL	Granted with Conditions	03.05.2019

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 Technical Advice Note (TAN) 16: Sport, Recreation and Open Space

5.4 Technical Advice Note (TAN) 24: The Historic Environment

5.5 HISTORIC ENVIRONMENT ACT (WALES) 2023

- 5.6 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)
Policy SP9 (Conservation of the Natural, Historic and Built Environment)
Policy SP12 (Community Facilities)
Policy GP2 (General Amenity)
Policy GP5 (Natural Environment)
Policy GP6 (Quality of Design)
Policy GP7 (Environmental Protection and Public Health)
Policy CE6 (Archaeology)
Policy CE7 (Conservation Area)

6. CONSULTATION RESPONSES

6.1 LOCAL HIGHWAYS AUTHORITY:

1st Response:

No objection.

The containers would have no impact on highway; however it is not clear how they will be able to place them. If the intention is to access from Stow Hill and crane them over the footway the applicant should seek advice from Street works department as they would need licences and temporary closures in place. If access is from the rear of the adjacent property there would be no highway issues.

2nd Response:

No objection. Please refer to previous comments and no further comment offered.

6.2 ENVIRONMENTAL HEALTH:

No response received.

6.3 PRINCIPAL HERITAGE OFFICER:

1st Response:

The site in question is within the curtilage of – and located directly to the north of – the Grade II Listed asset, included as an *'Impressive, well-designed early C20 school building.'*

The asset is described as:

'Baroque style. Two storeys of red brick with Portland stone dressings on tall brown stone basement (ground falls steeply to R); large small-pane sash and casement windows. Centre block of 5 bays has central frontispiece with, on top floor, open segmental pediment on Ionic columns with blocking. Small pediment above with inscription '1904 St Woolos Schools'. Recessed bay to each side of centre block. To each end projecting gabled block whose upper floor has Venetian window with inner light enclosed in segmental pediment on blocked columns. Entrance forecourt enclosed by stone wall with brick piers; iron railings between piers.'

Impact upon Conservation Area Setting:

St. Woolos Conservation Area is located immediately to the south of the site. Considering the low visibility of the proposed within available views from the CA, impact upon the Setting of St. Woolos Conservation Area will be none.

Impact upon Belowground Archaeology:

The proposed site is also located within the Archaeologically Sensitive Area of the Town Centre. Map regression shows that this early-C20 school was constructed upon the site of c.1700 almshouses. Upon this basis, there may be potential for belowground archaeology. However, considering that the containers are simply set upon the existing hardstanding, I cannot see there will be an issue to this regard. I see that Heneb have been consulted.

Impact upon Setting:

Considering these containers are not proposed to be attached to the building, this is a question of setting impact upon the listed asset.

Principal views of the listed asset are available from Stow Hill, where the building is set upon higher ground behind the raised pavement, increasing its grandeur within the street scene. This is particularly noticeable as one approaches up the hill from the north, where the decorative north-eastern corner (and part of the side elevation) is very prominent due to the sloping ground, the subtle change in orientation of the building line, and the ornate resolution

of this corner – where the engaged columns to upper storeys turn the corner. This setting contributes positively towards the significance of the asset.

It is proposed to locate 3 no. containers upon the tarmac-finished, and narrow tapering yard area directly to the north of the listed asset, the first being set flush with the north-eastern corner of the building. This area is bounded to the north by the end-of-terrace property at no.72 Stow Hill, to the south by the school building (against which the containers are proposed to be located) and to the east by the low, curtilage-listed boundary wall (constructed of snecked pennant stone, red-brick piers, and railings).

As such, it is considered that the proposed 2438mm high (blue-finished) containers will be very prominent within the northerly approach to the asset, directly obscuring views of the stone basement elevations and visually distracting from the principal asset. There will be harm to the setting of the asset – and therefore its significance.

2nd Response:

Updated response following revised information.

Impact upon Conservation Area Setting:

St. Woolos Conservation Area is located immediately to the south of the wider school site. Considering the low visibility of the proposed within available views from the CA, impact upon the Setting of St. Woolos Conservation Area will be nil.

Impact upon Belowground Archaeology:

The proposed site is also located within the Archaeologically Sensitive Area of the Town Centre. Map regression shows that this early-C20 school was constructed upon the site of c.1700 alms-houses. Upon this basis, there may be potential for belowground archaeology. However, considering that the containers are simply set upon the existing hardstanding, I cannot see there will be an issue to this regard. I see that *Heneb* have been consulted and have no concerns.

Impact upon Setting:

Considering these containers are not proposed to be attached to the building (apart from a single cable – see below), this is primarily a question of setting impact upon the listed asset.

Principal views of the listed asset are available from Stow Hill, where the building is set upon higher ground behind the raised pavement, increasing its grandeur within the street scene. This is particularly noticeable as one approaches up the hill from the north, where the decorative north-eastern corner (and part of the side elevation) is very prominent due to the sloping ground, the subtle change in orientation of the building line, and the ornate resolution of this corner - where the engaged columns to upper storeys turn the corner. This setting contributes positively towards the significance of the asset.

It is now proposed to locate 2 no. containers upon the tarmac-finished and narrow yard area directly to the north of the listed asset, the first being set back from the north-eastern corner of the building and screened by timber trellises with planting. This area is bounded to the north by the end-of-terrace property at no.72 Stow Hill, to the south by the school building (against which the containers are proposed to be located) and to the east by the low, curtilage-listed boundary wall (constructed of snecked pennant stone, red-brick piers, and railings).

However, I would note that there is clearly some discrepancy within Drawing number NPS-DR-A-(**)-004 Revision A (Container Elevations and Plans), as it states the containers will be blue, but shows a green unit below. This needs to be clarified.

If containers are proposed to be green, it is considered that, as revised, the proposed 2438mm high containers will now have much less prominence within the northerly approach to the asset: planted screening will soften their appearance, and their set-back position will reduce obscuration of the stone basement elevations and reduce visual distraction from the principal asset. Though there will inevitably be some harm to the setting of the asset (and therefore its significance), I would suggest that this can be positively balanced against the substantial community benefit that such a community education project will bring.

I would suggest that time-limited consent is given, to allow for full assessment of impact once in situ, and for subsequent removal if considered necessary.

Listed Building Consent:

Considering that it is proposed to run a single cable through the frame of a clearly modern replacement window (inspected on site), no impact upon the special interest of the listed asset will result from these works, and therefore a listed building consent application is not required in this instance.

6.4 HENEB:

The works are of relatively small scale, and with our understanding of the historic environment, it is unlikely that significant archaeological features will be encountered or that existing features will be disturbed. Therefore, the potential impact is considered low.

As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of the work. In this event, please contact this division of the Trust.

6.5 LANDSCAPE OFFICER:

1st Response:

No objections in principle however could be clarified: Are these storage containers to be permanent features?

If yes, then they should be screened from the highway to mitigate the negative visual impact, especially as this is an Archaeologically Sensitive Area. Details of this feature should be submitted for approval.

This could be in the form of a suitably high, raised planter, trellis and climbing plants, or a willow/bamboo cane screening fence (e.g. below left). Additionally, regarding sustainability, biodiversity and educational benefit, could a biodiverse green roofs and insect hotels be incorporated (e.g. below right).

2nd Response:

No objections in principle however could be clarified:

It is noted that raised planters with trellis have been indicated on the plan on the west (highway side) elevation which are welcome. Details of these features should be submitted for approval.

However no details of proposed plants have been provided. If the school is to undertake the planting then this needs to be clarified. Also that a suitable qualified landscape contractor or horticulturalist should assist during process to ensure that suitable substrate (topsoil/ameliorants), lining and drainage is provided.

If not, then further details are required to be submitted for approval, to include:

Soft Landscape/Planting (Plan & Schedule):

- Type (Climber/Bulbs/Groundcover)
- Species
- Size/specification
- Position
- Spacing/density
- Accessories – Tree stakes/watering bags/wire support/trellis/planters

It would be advised that a suitably qualified landscape specialist/professional is appointed to satisfy the above.

6.5 DRAINAGE:

No response received.

7. PUBLIC REPRESENTATIONS

- 7.1 The application was advertised by direct neighbour notification letter and site notice. No responses were received.
- 7.2 COUNCILLORS: Councillor Miqdad Al-Nuaimi and Councillor Kate Thomas were notified of the proposal directly.

Councillor Miqdad Al-Nuaimi provided the following comments in relation to the application prior to its revision:

My main comment on this would be the visual impact of the proposal on the setting of the School within the Conservation area. I am not certain whether this is a temporary or a permanent situation. If it was meant to be temporary (say 2 years) to provide extra storage while other work is being carried out, then I would have no objection to the application. However, if the siting of the 3 shipping containers is meant to be permanent, then I find myself agreeing with the Principal Heritage Officer, that the 3 containers would cause some harmful impact on the setting of the grade 2 listed building of St Woolos School. In that case and if the decision is to approve the application, then some mitigation should be specified along the line suggested by the Landscape Officer.

No further comments were made by Councillor Miqdad Al-Nuaimi following re-consultation of the application.

Councillor Kate Thomas provided the following response:

I very much endorse this proposal and very much appreciate the advice and guidance provided by council teams.

The school is high proactive in supporting connected communities and developing their student's awareness and understanding of projects which the school can take a lead on.

The local community is keenly aware of the historical significance of the school and the SLT try very hard to be innovative in working around the restrictions they face from working in a listed building.

8. ASSESSMENT

8.1 Principle of Development:

- 8.1.1 The application site is located within the defined limits of development and the proposals relate to an established primary school. The works are proposed in association with the existing school, in order to facilitate the introduction of the community education project known as *Big Bocs Bwyd*. It is considered that the general principle of the development is acceptable.
- 8.1.2 Policy SP12 of the NLDP encourages the development of community facilities in sustainable locations such as the application site, noting the importance of access to a range of facilities and the maximisation of opportunities for community development and social welfare. As such, it is considered the LDP provides direct support for the community facility proposed.
- 8.2 **Visual Amenity/Character and Appearance:**
- 8.2.1 The application site is located adjacent to Stow Hill and is enclosed with metal railings which allow for views into the site. As such, glimpses of the proposal would be seen from the street front. It is noted that the area in which the containers would be sited is hard surfaced and generally void of any significant features.
- 8.2.2 Whilst it is acknowledged that the containers would be visible from the public realm, they would be set back from the site frontage, are generally of small scale, would be finished in an appropriate colour and would be partially screened with timber trellis planters. It is considered that these factors would mitigate any visual harm arising from the siting of the containers in the location proposed.

8.2.3 Based on the above, it is considered that the proposal is in accordance with Policy GP6 of the NLDP (2011 – 2026).

8.3 Residential Amenity:

8.3.1 The application site forms part of an existing primary school and the proposal would not change how the site would function in terms of its overall use. It is acknowledged that there are residential properties adjacent to the application site, however it is not considered that the works proposed would significantly alter any impacts experienced by occupiers when compared to the existing situation.

8.3.2 The Council's Environmental Health Officer has been consulted on the application and has not returned a response. No objections were received from members of the public following the public consultation of the application.

8.3.3 Based on the above, it is considered that the proposal would have an acceptable impact upon the amenities of surrounding occupiers, in accordance with Policy GP2 of the NLDP (2011 – 2026).

8.4 Highways:

8.4.1 No objections have been raised by the Local Highways Authority in respect of the above, with the consultation response reporting that the proposal would have no impact upon the highway.

8.4.2 It is noted that the Local Highways Authority have commented that it is not clear how the Applicant will place the containers in the location proposed. If the intention is to crane them over the footway from Stow Hill advice should be sought from the Council's Street Works Department so that relevant licences are in place, along with temporary road closures. The Applicant can be informed of this via a suitably worded Informative should planning permission be granted.

8.5 Heritage:

8.5.1 The site in question is within the grounds of, and located directly to the north of, a Grade II Listed asset, included as an '*Impressive, well-designed early C20 school building.*' Considering these proposals are not physically attached to the building, this is a question of setting impact upon the listed asset. It is noted that power to the containers would be obtained via a single cable running through the frame of a clearly modern replacement window (inspected on site) and the Principal Heritage Officer has advised that this would not trigger the need for a separate Listed Building Consent application.

8.5.2 Consultation with the Council's Principal Heritage Officer has also resulted in no objections following the aforementioned revisions to the proposal being undertaken. Clarification regarding the colour of the containers was requested, with the Applicant confirming the containers would be finished in dark/bottle green (RAL 6007); this is considered appropriate and can be secured by way of condition. The planted screening was also welcomed, with the Principal Heritage Officer noting it would act to soften the appearance of the containers, whilst their set-back position would reduce obscuration of the stone basement elevations and reduce visual distraction from the principal asset. Notwithstanding these mitigatory measures, there will inevitably be some harm to the setting of the asset (and therefore its significance), however this can be positively balanced against the substantial community benefit that such a community education project would bring.

8.5.3 Given the fact that harm to the listed asset is being outweighed by the community benefit, the Principal Heritage Officer has recommended that a time-limited consent is given. This would allow for full assessment of impact once in situ, and for subsequent removal if considered necessary. Rather than a temporary consent, it is considered more appropriate to require the removal of the containers should the use cease to operate.

8.5.4 It is noted that the application site is outside of but in close proximity to the St Woolos and Town Centre Conservation Areas. Given the low visibility of the proposed development from the Conservation Areas, it is considered that the impact of the proposal upon them would be negligible. No objections have been raised by the Council's Principal Heritage Officer in this regard.

8.5.5 Based on the above, it is considered that the proposal would preserve the listed building and its setting and any features of special architectural or historic interest the building may possess. In addition, it is considered that the scheme is considered to preserve the character and appearance of the nearby Conservation Areas. The development is therefore considered to comply with Policy CE7 of the Newport Local Development Plan and the Historic Environment (Wales) Act 2023.

8.6 **Archaeology:**

8.6.1 The site is on land identified as archaeologically sensitive. Policy CE6 indicates that development proposals will normally be required to undertake an Archaeological Impact Assessment.

8.6.2 The application is not accompanied by a Written Scheme of Investigation. Consultation has been undertaken with Henneb who are of the view that any buried archaeological features are unlikely to be disturbed as part of the proposal. As such, there is no archaeological restraint to this proposal and consequently Henneb have no objections to the positive determination of the application.

8.7 **Biodiversity:**

8.7.1 Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Policy GP5 of the NLDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. It is noted that the application has not been accompanied by a Green Infrastructure Statement, however the plans do provide biodiversity net gain in the form of new planting within the trellis planters. Given the nature and minor scale of the proposed development, this is considered proportionate. A condition can secure the required landscaping.

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 It is considered that the proposal complies with the aforementioned policies and is considered acceptable.

11. DECISION

GRANTED WITH CONDITIONS:

(01) The development shall be implemented in accordance with the following plans and documents:

Site Location Plan (001 B)

Proposed Block Plan (003 A)

Container Elevations and Plan (004 A)

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

(02) Notwithstanding the approved plans, the containers shall be finished in the colour dark/bottle green (RAL 6007) prior to their first use and retained in this colour thereafter.

Reason: In the interests of visual amenity, in accordance with Policies GP2 and GP4 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

(03) The containers and all associated equipment shall be removed, and the land restored to its former condition within 6 months of the cessation of use hereby approved.

Reason: To safeguard visual amenity and the historic asset in accordance with Policies GP6 and CE7 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) and the Historic Environment (Wales) Act 2023.

(04) Prior to the commencement of the development hereby approved, a Soft Landscaping Plan shall be submitted to and approved in writing by the Local Planning Authority. The Soft Landscaping Plan shall include details of the type, species, size, position, spacing and density of plants along with details of accessories (tree stakes/watering bags/wire support/trellis/planters) and a timetable for implementation. Following its implementation, all planting shall be maintained as approved thereafter and any plant which dies or is damaged shall be replaced and maintained until satisfactorily established.

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.

NOTES TO APPLICANT

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP9, SP12, GP2, GP5, GP6, GP7, CE6 and CE7 were relevant to the determination of this application.

02 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.

- 03 The Applicant is advised to contact the Council's Street Works Department to ascertain what licences or permissions are required prior to the siting of the containers, particularly if the containers are to be lifted into the site from Stow Hill.