

Planning Department
Newport City Council
Civic Centre
Newport
NP20 4UR



16th September 2025

Dear Mr Cooke,

RE: Application 25/0464: Proposed Agricultural Storage Building - Lower Wenallt Farm, Golynos Lane, Rogerstone, Newport, NP10 9GR

Further to your email dated September 3rd 2025, please accept my apologies for the delay in responding. I have provided the requested additional information with regard to the deposit of materials making up the earthworks and a proposed renewed description below.

1. Further information on the earthworks and permitted development

1.1 Earthworks at Lower Wenallt Farm

Paragraph 3.4 of the Planning Statement accompanying the application, reference above, describes the extent of the earth works undertaken by the Applicant. Figure 8 provides an aerial image with measurements indicating the area of land over which works have been done. The area of land on which the deposit of material has been put extends to just 3052.36sqm. This equates to 0.305236 hectares.

Under the Town and Country Planning (General Permitted Development) Order 1995, as amended for Wales Part 6(A.2) establishes the conditions under which development is permitted by Part 6, Class A. Section A.2(2) provides:

“Subject to paragraph (3) development consisting of –

...(c) the carrying out of excavations or the deposit of waste material (where the relevant area, as defined in para D.4 below, exceeds 0.5ha)...

Is permitted by Class A subject to the following conditions...”

The “relevant area” is defined in the legislation under D.1 as “the area of the proposed excavation or the area on which it is proposed to deposit waste together with the aggregate of the areas of all other excavations within the unit which have not been filled and of all other parts of the unit on or under which waste has been deposited and has not been removed”.

For the purposes of section A.2(2)(c) of Part 6 waste is given the definition originally enshrined under Directive 2008/98/EC on waste which refers to waste as “any substance or object where the holder discards or intends or is required to discard”.

1.2 Application of the law to the circumstances

1.2.1 Deposit of material

The topsoil deposited on the land as indicated in Figure 8 of the Planning Statement is material which was unwanted by the Applicant from another part of his agricultural holding. The material was subsequently brought across to the application site and deposited to the north and east elevations of the existing farm buildings in order raise the level of the land to match with the ground level of the existing buildings. Accordingly, the material was “deposited” on the land.

1.2.2 Area of deposit

Under Part 6, A.2(2)(C), as reproduced above, deposits of waste material which exceed 0.5hectares will require a prior notification application to be submitted to the Local Planning Authority. However, where the area of the deposit is less than 0.5 hectares no such application is submitted before the work can be carried out.

Accordingly, the Applicant made the deposit of material on his land and created the sloping bank from the apron around the agricultural buildings to the field level in order to enable planting to be undertaken. Given that the deposit of material associated with the proposal site extends to just 0.3 hectares there was no requirement on the Applicant to make a prior notification application.

2. Proposed Revised Description of Development

We would respectfully suggest the revised description as set out below:

“Proposed siting of a new agricultural storage building and retention of earth deposit for the provision of level ground for the structure”.

Should you have any queries then please do not hesitate to contact me.

Yours sincerely,

H.A.Nash

Dr Hazel Ann Nash
Planning Consultant
Acorus Rural Property Services Ltd