

Notice of Decision

L Griffiths
Asbri Planning Ltd.
Unit 9
Oak Tree Court
Cardiff Gate Business Park
Cardiff
CF23 8RS

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended)

Application No: **24/0640**

Application Type: **Discharge Conditions**

Proposal: **PARTIAL DISCHARGE OF CONDITIONS 2 (IMPORTED MATERIAL) AND 16 (REMEDICATION VERIFICATION) FOR PHASE 3 (PLOTS 47-55 & 120-195) OF PERMISSION 18/0293 FOR DEVELOPMENT OF 195NO. RESIDENTIAL UNITS, INTERNAL ROAD NETWORKS, PARKING, LANDSCAPING AND ASSOCIATED WORKS AFFECTING PUBLIC RIGHT OF WAY 407/1**

Site/Location: **Land To South Of Glan Usk Primary School, Herbert Road, Newport, South Wales,**

Decision Date: **3rd October 2024**

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 29th July 2024. The application has been:-

Approved

NOTE TO APPLICANT

The development should 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.

This decision notice is issued in respect of Planning Permission only and does not convey any approval which may be required under any other legislation or provisions, such as, but not limited to, Highways and Building Regulations. For advice on the requirements of the Building Regulations and allied legislation, and/or whether there is a need for a Building Regulations submission, please contact the Council's Building Control Section on 01633 656656 or email building.control@newport.gov.uk. For advice on obtaining relevant permissions from the Highway Authority, please contact highway.planning@newport.gov.uk

This decision is issued in respect of a condition imposed on the previous consent referred to above. Please refer to that previous consent for other conditions which may have been imposed.

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. This decision relates to the following documents:
 - o Drawing 3073 (04) 001 B - Site Location
 - o Drawing LP P1,2 & 3 01 Phase 1, 2 & 3 Location Plan
 - o Terra Firma letter Ref. 12032 dated 16.07.2024 - Verification Report
 - o Herbert Road Phase 3 - Validation of Imported Piling Mat Material (06.10.2023)
 - o Capping Validation Report 12032/VR-PHASE 3 (N): Herbert Road, Phase 3 - Plots 127-137 & 150-160 - The Island (06.10.2023) -
 - o Capping Validation Report RH/12032/VR-PHASE3/1: Herbert Road, Phase 3 - Plots 47-55, 120-126, 138-143 & 161-195 (15.12.2023)
 - o Capping Validation Report 12032/VR-PHASE 3 (N) - P131-133: HERBERT ROAD, PHASE 3 PLOTS 131 & 133
2. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP9 and GP7 were relevant to the determination of this application.
3. 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.
4. It is considered that the decision has been made in conformity with the Marine Policy Statement (2011) and in accordance with marine national planning policy contained within the Welsh National Marine Plan (2019) as demonstrated in the assessment of this proposal.
5. This decision relates to the area of Phase 3 of the approved scheme only, that is Plots 47-55 and 120-195 (Drawing LP P1,2&3 01)

Signed on behalf of the Council

Newport City Council
Regeneration and Economic Development
Civic Centre
Newport
South Wales
NP20 4UR

Tracey Brooks Bsc Hons Dip TP MRTPI ILM
Pennaeth Adfywio a Datblygu Economaidd / Head of Regeneration and Economic Development
Cyngor Dinas Casnewydd / Newport City Council

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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).