

Delegated Decision Report

Application No:	25/0565	Statutory Period Expires:	14th November 2025
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Site:	Land To The East And Adjacent To Telford Street Depot Telford Street Newport South Wales		
Proposal:	PARTIAL DISCHARGE OF CONDITION 12 (MECHANICAL VENTILATION) OF PLANNING PERMISSION 20/1138 FOR PROPOSED CONSTRUCTION OF 54 NO. RESIDENTIAL UNITS, ACCESS, STOPPING UP OF HIGHWAY, ENGINEERING OPERATIONS, LANDSCAPING, DRAINAGE AND ASSOCIATED WORKS		
Applicant:	Pobl Group		
Type:	Discharge Conditions	Ward:	Liswerry
Decision:	APPROVED		

1. BACKGROUND

- 1.1 Planning permission for the construction of 54no. residential units, access, stopping up of highway, engineering operations, landscaping, drainage and associated works was granted subject to conditions in January 2021 under application ref. 20/1138.

2. SITE LOCATION AND CONTEXT

- 2.1 Land to the East and Adjacent to Telford Street received permission for a residential development adjacent to the existing residential estate known as Loftus Garden Village in 2021. The units comprise 14 flats and 40 houses, 18 of the proposed houses will be market units with the remaining flats and houses being affordable/social.
- 2.2 The site is 1.89 hectares and is currently under construction for the approved housing scheme and previously formed part of a larger industrial area. It is an urban brownfield site bounded by a single track road (Soho Street) and railway embankment to the north, the modern Phoenix Park employment site to the east, Loftus Garden Village to the south and a public right of way and Telford Depot (a housing allocation H1(63) to the west. The site is accessed via Telford Street. It is located within zone 1 for flood risk purposes.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 It is proposed to discharge condition 12 (Mechanical Ventilation) of 20/1138. Condition 12 reads:

"Prior to the construction of Plots 13-14, 19-20, 25-26 and 38-54, details of mechanical ventilation to all habitable rooms listed in paragraph 4.6 of the Noise and Vibration Assessment shall be provided to the Local Planning Authority (LPA). Following the LPA's written agreement to the submitted details the scheme shall be installed as approved prior to first occupation of each of the relevant plots and retained thereafter. Reason: to ensure noise affected rooms can be adequately ventilated with closed windows"

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
20/1138	PROPOSED CONSTRUCTION OF 54NO. RESIDENTIAL UNITS, ACCESS, STOPPING UP OF HIGHWAY, ENGINEERING OPERATIONS, LANDSCAPING, DRAINAGE AND ASSOCIATED WORKS	GRANTED WITH CONDITIONS	25.01.2021
24/0077	NON MATERIAL AMENDMENT APPLICATION TO VARY THE WORDING OF CONDITION 11 (ROOFTOP SOLAR ARRAY DETAILS), 12 (MECHANICAL VENTILATION	APPROVED WITH CONDITIONS	22.02.2024

	DETAILS), 15 (EV CHARGING SCHEME), 16 (BOUNDARY TREATMENT DETAILS) AND 18 (GSHP AND BROADBAND SCHEME DETAILS) IN RESPECT OF 20/1138 PROPOSED CONSTRUCTION OF 54 NO. RESIDENTIAL UNITS, ACCESS, STOPPING UP OF HIGHWAY, ENGINEERING OPTIONS, LANDSCAPING, DRAINAGE AND ASSOCIATED WORKS. REVISED WORKING REQUIRED TO VARY FROM PRE-COMMENCEMENT TO PRE-CONSTRUCTION CONDITIONS		
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5. PLANNING POLICY

5.1 N/A

6. CONSULTATION RESPONSES

6.1 ENVIRONMENTAL HEALTH

No objection

I refer to the above application passed to the Environmental Protection Team for comment.

I confirm I have no objections to the Partial Discharge of Condition 12 (Mechanical Ventilation).

7. PUBLIC REPRESENTATIONS

N/A

8. ASSESSMENT

8.1 Condition 12 required details of mechanical ventilation to all habitable rooms listed in paragraph 4.6 of the Noise and Vibration Assessment to be provided. A ventilation specification, a mechanical ventilation/heat recovery brochure, an installation manual for mechanical ventilation units with heat recovery for wall mounting and a site location plan have been provided.

8.2 The Council's Environmental Health Officer has reviewed the information submitted within the above documents and has confirmed they have no objections to a partial discharge.

8.3 The requirements of Condition 12 have been satisfied, insofar as they relate to the provision of mechanical ventilation details and a partial discharge is hereby 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 requirements of Condition 12 have been satisfied, insofar as they relate to the provision of mechanical ventilation details. The Council's Environmental Health Officer has not offered any objection. A partial discharge is hereby approved.

11. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: Ventilation Specification, Mechanical Ventilation with Heat Recovery Brochure, Mechanical Ventilation Units with Heat Recovery for Wall Mounting - Installation Manual, 1947-LP-01 - Site Location Plan.

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 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.