

Delegated Decision Report

Application No:	25/0313	Statutory Period Expires:	20th June 2025
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Site:	Orchard House 11A Norman Street Caerleon Newport NP18 1BB		
Proposal:	PARTIAL DISCHARGE OF CONDITION 8 (ECOLOGICAL ENHANCEMENT) OF 18/1236 REFURBISHMENT AND ALTERATIONS TO ORCHARD HOUSE TO CREATE 7NO. SELF-CONTAINED SUPPORTED LIVING APARTMENTS, DEMOLITION OF SELECTED OUTBUILDINGS AND CONSTRUCTION OF SINGLE STOREY COMMUNAL GARDEN PAVILION INCLUDING ASSOCIATED LANDSCAPING WORK		
Applicant:	J Page		
Type:	Discharge Conditions	Ward:	Caerleon
Decision:	APPROVED		

1. BACKGROUND

- 1.1 The site had previously been granted permission for refurbishment and alterations to create 7no self-contained supported living apartments, demolition of outbuildings and construction of a single storey garden pavilion. This application was granted with conditions.
- 1.2 The applicant has previously applied to discharge the ecological enhancement condition. This was subsequently refused on the grounds that the submitted details did not incorporate the recommendations of the BE Ecological Bat Survey (June 2019) and would not amount to adequate compensation/enhancement.

2. SITE LOCATION AND CONTEXT

- 2.1 The site is currently a detached care home situated in the Caerleon ward. The property is 2no storey and has a generous front and rear garden.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks to discharge Condition 03 (biodiversity construction method statement) of permission 18/1236. The condition states:

Prior to the commencement of works to the roof of the building details of a Biodiversity Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include details of measures to safeguard protected species including during the construction works, based on the information provided in "Be Ecological Bat Survey Issue 1 Version A". The works shall be undertaken fully in accordance with the approved construction method statement.

Reason: In the interests of protecting European Protected Species. Policy GP5.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
18/1236	REFURBISHMENT AND ALTERATIONS TO ORCHARD HOUSE TO CREATE 7NO. SELF CONTAINED SUPPORTED LIVING APARTMENTS, DEMOLITION OF SELECTED OUTBUILDINGS AND CONSTRUCTION OF SINGLE STOREY COMMUNAL GARDEN PAVILION INCLUDING ASSOCIATED LANDSCAPING WORK	GC	28.01.2022
24/0579	PARTIAL DISCHARGE OF CONDITION 3 (BIODIVERSITY CONSTRUCTION METHOD STATEMENT) OF 18/1236	R	08.08.2024

	REFURBISHMENT AND ALTERATIONS TO ORCHARD HOUSE TO CREATE 7NO. SELF-CONTAINED SUPPORTED LIVING APARTMENTS, DEMOLITION OF SELECTED OUTBUILDINGS AND CONSTRUCTION OF SINGLE STOREY COMMUNAL GARDEN PAVILION INCLUDING ASSOCIATED LANDSCAPING WORK		
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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)

- GP5 (Natural Environment)
- GP7 (Environmental Protection and Public Health)

5.4 SUPPLEMENTARY PLANNING GUIDANCE WILDLIFE AND DEVELOPMENT SPG

6. CONSULTATION RESPONSES

6.1 Ecology Officer:

The submitted details are sufficient to partially discharge condition 8 of 18/1236, subject to implementation in full.

7. PUBLIC REPRESENTATIONS

7.1 None

8. ASSESSMENT

8.1 The submission includes a Biodiversity Strategy document that details how the applicant will enhance and retain biodiversity by implementing a range of biodiversity enhancements. The Ecology Officer has been consulted on the document and has confirmed no objections to the partial discharge of the condition.

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 submitted for the partial discharge of condition 08 is acceptable

11. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos:

- Biodiversity Strategy received 28/04/2025

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP5 and GP7 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.