

Notice of Decision



J Tucker
Bryn Derwen
Pentreporth Road
Michaelston-y-Fedw
Cardiff
CF3 6XT

TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **22/0341**

Application Type: **Outline**

Proposal: **OUTLINE APPLICATION (ALL MATTERS RESERVED) FOR THE ERECTION OF 2 NO. DETACHED DWELLINGS TO THE REAR OF THE EXISTING HOUSE (THE LONGHOUSE) WITH DOUBLE GARAGES**

Site/Location: **The Long House , Blacksmiths Way, Coedkernew, Newport, NP10 8TR**

Decision Date: **17th November 2022**

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 8th April 2022. The application has been:-

Granted with Conditions

STANDARD CONDITIONS

The matters set out in the conditions below are reserved for the submission and approval of details.

01 In the case of any reserved matter, application for approval must be made not later than the expiration of **THREE YEARS** beginning with the date of this permission.

Reason: The application is in outline only and the further details are required to ensure that a satisfactory form of development take place.

02 No development shall be carried out on the site until details of the reserved matters have been approved, and the development shall be carried out in accordance with these details.

Reason: The application has been submitted in outline only. Further details are required to ensure that a satisfactory form of development takes place.

03 The development to which this permission relates must be begun not later than whichever is the later of the following dates:- the expiration of **THREE YEARS** from the date of this permission; or the expiration of **TWO YEARS** from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform to the requirements of Sections 91 and 92 of the Act 1990.

ADDITIONAL CONDITIONS

1. The development shall be implemented in accordance with the following plans and documents: JT2001.01, JT2001.08, JT2001.100, NA3856-01 (Topographical survey), Arboricultural Impact Assessment (EDP Ltd, October 2021), Environmental Noise Assessment (Hunter Aocustics, September 2021) and Preliminary Ecological Appraisal (Soltysbrewster, October 2021).
Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.
2. Pre- commencement conditions
Approval of the details of the layout, scale, appearance of the building(s), access thereto and the landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority.
Reason: To safeguard the rights of control of the Local Planning Authority in respect of the reserved matters and to comply with the provisions of Article 3(1) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

3. Prior to the commencement of development, to include demolition, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan (CEMP) shall identify the steps and procedures that will be implemented during development resulting from the site preparation, groundwork and construction phases of the development regarding:
 - noise mitigation measures - to minimise the creation and impact of noise;
 - dust suppression measures, having regard to BRE guide 'Control of Dust from Construction and Demolition, February 2003;
 - waste disposal;
 - details of working hours;
 - details of enclosure of working areas;
 - details of contractor parking areas and construction site accesses;
 Development works shall be implemented in accordance with the approved CEMP.
 The development shall be carried out in accordance with the approved Construction Environmental Management Plan at all times.
 Reason: To protect the amenities of nearby residents and in the interests of highway safety, in accordance with policies GP2, GP4 and GP7.
4. In pursuance of any reserved matters application, cross sectional details and slab level information shall be submitted to demonstrate:
 - The visual impact of development on the surrounding area
 - The relationship of proposed dwellings with each other and
 - The relationship of proposed dwellings with the host and neighbouring dwelling situated on the periphery of the site.
 Reason: In the interests of the visual amenities of the area and the amenities of existing and proposed residential occupiers having regard to the topography of the site, in accordance with policies GP2 and GP6.
5. No operations of any description, (this includes all forms of development, tree felling, tree pruning, temporary construction access, soil moving and operations involving the use of motorised vehicles or construction machinery), shall commence on site in connection within the development, until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall contain full details of the following:
 - (a) Excavation works (including drainage works)
 - (b) The extent of driveway works
 - (c) Construction exclusion zones
 - (d) Protective barrier fencing
 - (e) Ground protection
 - (f) Service positions
 - (g) Special engineering requirements including no dig construction
 - (h) Access facilitation pruning and boundary trimming
 - (i) Landscaping;
 - (j) Name, qualifications and contact details of the Arboricultural Contractor(s) and/or Consultant(s) who will be implementing the above are to be supplied to the Councils Tree Officer.
 The development shall be carried out in full compliance with the Arboricultural Method Statement.
 Reason: To protect important landscape features neighbouring the site, in accordance with policy GP5.
6. No development, other than demolition, shall commence until full details of the foul water drainage system has been submitted to and approved in writing by the Local Planning Authority. The details shall be implemented fully in accordance with the approved scheme prior to the occupation of any dwelling.
 Reason: To ensure adequate drainage is provided, in accordance with policy GP3.
7. Prior to the commencement of development details of proposed boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be implemented prior to the occupation of the associated dwelling and maintained in perpetuity thereafter.
 Reason: In the interests of residential and visual amenity, in accordance with policies GP2 and GP6.
8. Pursuant to the approval of the reserved matters, a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to road traffic noise in excess of 55 dBA Leq 16 hour (free field) during the day (07.00 to 23.00 hours) or 45 dBA Leq 8 hour (free field) at night (23.00 to 07.00 hours) shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be able to be effectively ventilated without opening windows. No dwelling shall be occupied until the approved sound insulation and ventilation measures have been installed to that property in accordance with the approved details. The approved measures shall be retained thereafter in perpetuity.
 Reason: To ensure that the amenities of future occupiers are protected, in accordance with policies GP2 and GP7.
9. Pursuant to the approval of the reserved matters, a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that the maximum day time noise level in outdoor living areas exposed to road traffic noise shall not exceed 50 dBA Leq 16 hour [free field]. The scheme of noise mitigation as approved shall be constructed in its entirety prior to the first occupation of any dwelling and shall be retained thereafter in perpetuity.
 Reason: To ensure that the amenities of future occupiers are protected, in accordance with policies GP2 and GP7.
10. Pursuant to the approval of the reserved matters, a scheme of ecological mitigation and enhancement shall be submitted to an approved in writing by the Local Planning Authority. The approved ecological mitigation and enhancement shall be implemented prior to the occupation of the development and retained thereafter.
 Reason: In the interests sustainable development and ecology, in accordance with policies SP1 and GP5.
11. General conditions
 The landscaping scheme referred to in reserved matters shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the completion of the development. Thereafter, the trees and shrubs shall be adequately maintained for a period of 5 years from the date of planting and any which die or are damaged shall be replaced and maintained until satisfactorily established. For the purposes of this condition a full planting season shall mean the period from October to April.

Reason: To secure the satisfactory implementation of the proposal, in accordance with policies GP5.

12. The reserved matters referred to in Condition 2 shall include details of off-street parking. The parking shall be provided in accordance with the approved details prior to first occupation of any development and thereafter maintained as such.
Reason: In the interests of highway safety, in accordance with policies GP4 and T4.
13. Any garages or parking spaces associated with residential uses on the site shall be used for the parking of domestic vehicles only and for no other purposes including, in the case of the garages, additional living accommodation.
Reason: To ensure the retention of adequate parking in the interest of highway safety, in accordance with policies GP4 and T4.
14. The development shall take place in accordance with the mitigation measures set out in section 5.7 (demolition outside of the bird nesting season), 5.11 (gaps at the bottom of fencing), 5.15 (light spillage) and Appendix V (technical lighting note) of the Preliminary Ecological Appraisal (Soltysbrewster, October 2021).
Reason: To protect ecological interests and protected species, in accordance with policies SP9 and GP5 of the Newport Local Development Plan.

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 streetscene@newport.gov.uk

1. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP1, SP9, SP13, GP2, GP3, GP4, GP5, GP6, H4, H6, T4 and W3 were relevant to the determination of this application.
2. 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.
3. Bats often roost in houses and other buildings, and work on these buildings may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building in which bats are roosting, Natural Resources Wales (NRW) must be contacted for advice.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Where there is a likelihood that bats are present, or where bats are found to be present, a suitably qualified and experienced ecological consultant should be contracted to provide an assessment of the impact of the proposed works, and undertake bat surveys if necessary.

Where bats or their roosts are present, no works of site clearance, demolition or construction should take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. Otherwise, a prosecution may result in a fine and/or imprisonment.

NRW can be contacted at:-
Natural Resources Wales, Ty Cambria, 29 Newport Road, Newport CF24 0TP, 0300 065 3000

Bat Conservation Trust can be contacted at:-
5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0845 1300228

Signed on behalf of the Council



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

Newport City Council
Regeneration, Investment and Housing
Civic Centre
Newport
South Wales
NP20 4UR

Application Number: 22/0341

Decision Date: 17th November 2022

IMPORTANT! PLEASE READ THE NOTES ON THE REVERSE OF THIS FORM

Notes for Applicants

TOWN AND COUNTRY PLANNING ACT 1990

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- Appeals can be made online at: <http://www.gov.wales/planningappeal> (or <https://llyw.cymru/apelio-yn-erbyn-penderfyniad-cynllunio>).
If you are unable to access the online appeal form, please contact Planning and Environment Decisions Wales to obtain a paper copy of the appeal form on tel: 0300 0604400.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be 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.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning and Environment Decisions Wales (PEDW.Casework@gov.wales) at least 10 days before submitting the appeal. Further information is available on <https://gov.wales/appeal-planning-decision>.