

Notice of Decision



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SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0343**

Application Type: **Renewals and Variation of Conditions**

Proposal: **S73 APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) 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. AMENDMENTS INCLUDE REDUCTION IN SIZE OF GARDEN PAVILLION**

Site/Location: **Orchard House , 11A Norman Street, Caerleon, Newport, NP18 1BB**

Decision Date: **7th May 2026**

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 6th May 2025. The application has been:-

Granted with Conditions

ADDITIONAL CONDITIONS IMPOSED BY THE COUNCIL

Approved Plans and Documents

1. The development shall be implemented in accordance with the following plans and documents: 3258;-PEN-ZZ-00-DR-A-7000-B1-C4-Pavilion - General Arrangement;3258-PEN-ZZ-ZZ-DR-A-1003-B1-C7-Proposed Site Plan; 3258-PEN-ZZ-ZZ-DR-A-7001-B1-C3-Pavilion - Elevations

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

Soft Landscaping

2. The scheme of soft landscaping as approved under application reference 25/0568 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 that development. Thereafter, the trees and shrubs shall be maintained for a period of 5 years from the date of planting in accordance with an agreed management schedule to be submitted with the landscaping details. Any trees or shrubs 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 March inclusive.

Reason: To ensure a suitable scheme of landscaping and tree planting is secured. Policy GP5.

Ecological Enhancement

3. The scheme of Ecological Enhancement as approved under application 25/0313 shall be implemented in full prior to the occupation of any of the supported living apartments.

Reason: To provide net benefit in accordance with NLDP Policy GP5, Planning Policy Wales and Section 7 of the Environment (Wales) Act 2016

CEMP

4. The development shall be undertaken in accordance with the Construction Environment Management Plan (CEMP) approved under discharge of conditions application 24/0476 or in accordance with any other CEMP as may be submitted to and agreed in writing by the LPA. The agreed CEMP shall be adhered to at all times during construction of the development.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity, highway safety and air quality are protected in accordance with Policy GP2, GP4 and GP7.

Biodiversity Construction Method Statement

5. The development shall be undertaken in accordance with the Biodiversity Construction Method Statement approved under discharge of conditions application 24/1012 or in accordance with any other Biodiversity Construction Method Statement as may be submitted to and agreed by the LPA in writing. The works shall be undertaken fully in accordance with any agreed construction method statement.

Reason: In the interests of protecting European Protected Species in accordance with Policy SP9 and GP5.

Root Protection Barrier

6. No operations of any description (this includes all forms of development, tree felling, tree pruning, temporary access construction, soil moving, temporary access construction and operations involving the use of motorised vehicles or construction machinery), shall commence on site in connection with the development until Root Protection Barrier fencing has been installed in accordance with the approved Tree Protection Plan. No excavation for services, storage of materials or machinery, parking of vehicles, deposits or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within the Root Protection Area.

All weather notices shall be placed on the approved root protection fencing no less than every 15m stating 'CONSTRUCTION EXCUSION ZONE - NO ACCESS'

The fencing shall be retained for the full duration of the development and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Once erected the approved Tree Consultant should provide written, dated and signed confirmation that the fencing has been installed as detailed in the Tree Protection Plan.

Reason: To protect important landscape features within the site. Policy GP5.

Tree Protection Plan

7. No development, including demolition, shall commence until the measures identified on "Drawing No. 24-038 - Tree Protection, Retention & Loos Plan Orchard House (June 2024)" submitted by Steve Ambler and Sons Tree Specialists Ltd have been implemented on site. The measures shown on the approved plan shall be retained for the full duration of the development, and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Reason: To protect the important landscape features within the site in accordance with Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

Pre -occupation conditions

Parking and Refuse Provision

8. Prior to first occupation the provision of the proposed parking layout and refuse store as shown on the approved plans shall be made available for use and retained in that state thereafter.

Reason: In the interests of highway safety and amenity. Policy GP2, GP4 and T4.

General conditions

Arboricultural Method Statement

9. The detailed Arboricultural Method Statement as submitted by Steve Ambler and Sons Tree Specialists Ltd (8th August 2024) must be fully complied with.

The development shall be carried out in full compliance with the Arboricultural Method Statement unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To protect important landscape features within the site. Policy GP5.

Use of Pavilion

10. The garden pavilion shall at no time be used as separate residential accommodation and the sleep over room shall be used by non-resident staff only in a capacity incidental to the main use of Orchard House.

Reason: In the interests of protecting residential amenity of neighbouring properties. Policy GP2.

NOTE TO APPLICANT

The development shall 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.

1. This decision relates to plan Nos: 3258_3.1_2025.05.02 S73 Cover Letter (PP-13991396)
2. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP1, SP9, GP2, GP4, GP5, GP6, GP7, CE6 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.



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Application Number: 25/0343

Decision Date: 7th May 2026

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).