

Notice of Decision



S Berry
Reading Agricultural Consultants
Beechwood Court
Long Toll
Woodcote
Reading
RG8 0RR

TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0061**

Application Type: **Full**

Proposal: **RETROSPECTIVE APPLICATION FOR RETENTION OF NEW ACCESS, CREATION OF TRACK AND INSTALLATION OF GATES AND FENCES AFFECTING PUBLIC RIGHT OF WAY 402/4/1**

Site/Location: **Land North West Of And Adjacent To Homelands , Pen-Y-Worlod Road, Newport, NP26 3AJ**

Decision Date: **5th June 2025**

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 14th February 2025. The application has been:-

Refused

Reason(s) for refusal:

1. Owing to their location, scale and design, the accessway, track works and associated fencing and gates would result in unjustified and visually incongruous features in the countryside and special landscape area to the detriment of rural character and appearance as well as general visual amenity. No evidence has been provided to mitigate this objection and is contrary to policies SP5, SP8, and GP6 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).
2. The proposal has a significant adverse impact upon interests of acknowledged importance, namely green infrastructure and biodiversity, due to the loss of hedgerow and other green infrastructure from the creation of the access and other works on site. A Green Infrastructure Statement has been provided but fails to demonstrate a step wise approach to maintain and enhance biodiversity, build resilient ecological networks and deliver net benefits for biodiversity. There is insufficient information submitted to overcome these objections. The application is therefore contrary to Future Wales Policy 9, the aims of PPW12 in so far as they relate to biodiversity interests and Policy GP5 of the Newport Local Development Plan.
3. The access results in significant harm to interests of acknowledged importance, namely highway safety, by reason of substandard visibility. This is contrary to policy GP4 of the Newport Local Development Plan 2011-2026 (January 2015) and no information has been provided to mitigate this objection.
4. The proposal will result in a significant adverse effect upon interests of acknowledged importance, namely protected species by reason of direct impact to habitat and no information has been provided to mitigate this objection. This is contrary to policies SP9 and GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015) and Planning Policy Wales TAN5: Nature Conservation and Planning.

NOTE TO APPLICANT

This decision notice is issued in respect of Planning Permission only and does not convey any decision which may be required under any other legislation or provisions, such as the Building Regulations.
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 plan Nos: Proposed Site Plan Drawing No.2451/03A, Location Plan Drawing No.2451/01, Image of Proposed 1.8m High Mesh Gates and Fence, Existing Site Plan Drawing No.2451/02, Transport Statement January 2025, Green Infrastructure Statement January 2025 and Covering Letter Dated January 28th 2025.
2. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP5 (Countryside), SP8 (Special Landscape Areas), GP4 (Highways and Accessibility), GP5 (Natural Environment), GP6 (Quality of Design), SP9 and M1 (Safeguarding of Mineral Resource) were relevant to the determination of this application.
3. 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.

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).