

# Delegated Decision Report

|                        |                |                                  |                       |
|------------------------|----------------|----------------------------------|-----------------------|
| <b>Application No:</b> | <b>25/0398</b> | <b>Statutory Period Expires:</b> | <b>18th July 2025</b> |
|------------------------|----------------|----------------------------------|-----------------------|

|                   |                                                                                                                                                                                                                                                                                                                                                      |              |                 |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------------|
| <b>Site:</b>      | <i>Cross Farm, Farm House Henton Farm Road Goldcliff Newport NP18 2AT</i>                                                                                                                                                                                                                                                                            |              |                 |
| <b>Proposal:</b>  | <i>S73 APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF 22/0636 CONSTRUCTION OF SIDE AND REAR EXTENSIONS AND CONVERSION OF STORAGE AREAS TO HABITABLE ACCOMMODATION INCLUDING RAISING EXISTING EAVES AND ROOF HEIGHTS AND NEW FENESTRATION TO CREATE 2NO. ANNEXES TO MAIN DWELLING. AMENDMENTS INCLUDE REDUCTION IN SIZE OF SOUTH WEST ANNEXE</i> |              |                 |
| <b>Applicant:</b> | <b>S Waters</b>                                                                                                                                                                                                                                                                                                                                      |              |                 |
| <b>Type:</b>      | <b>Renewals and Variation of Conditions</b>                                                                                                                                                                                                                                                                                                          | <b>Ward:</b> | <b>Llanwern</b> |
| <b>Decision:</b>  | <b>GRANTED WITH CONDITIONS</b>                                                                                                                                                                                                                                                                                                                       |              |                 |

## 1. BACKGROUND

1.1 None.

## 2. SITE LOCATION AND CONTEXT

2.1 The site comprises a large working farm at Henton Road, Goldcliffe. It is surrounded by agricultural land with the hamlet of Goldcliffe located 1.5km to the south east.

2.2 The dwelling itself comprises a large detached farmhouse of linear form with a pitched roof finished in dark grey render and stone. Three distinct storage areas are attached to the main dwelling, one to the south west and two to the north east. The two larger areas are used for general storage, and the smaller pen to the north east is used as a wood pen.

## 3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks a variation to condition 1 (approved plans) of 22/0636 for the construction of side and rear extensions and conversion of storage areas to habitable accommodation including raising existing eaves and roof heights and new fenestration to create 2no. annexes to the main dwelling. This amendment seeks to reduce the scale of the annexe to the south west of the building by removing the proposed gable extension and bringing it flush with the main wall of the host dwelling. The proposed south west annexe would therefore now measure 6.5m in depth, 4.8m in width and 7.4m in height to the top of the ridge. The fenestration in the front elevation would remain the same, however the set of patio doors in the rear elevation at ground floor level would be replaced with a window. The lounge would be moved to the first floor to replace two of the bedrooms and the ground floor accommodation would become a utility area and boot room next to the existing kitchenette. The annexe would now also include its own staircase.

## 4. RELEVANT SITE HISTORY

| REFERENCE | DESCRIPTION                                                                             | DECISION                    |
|-----------|-----------------------------------------------------------------------------------------|-----------------------------|
| 95/0276   | ERECTION OF GENERAL PURPOSE AGRICULTURAL BUILDING                                       | GRANTED WITH CONDITIONS     |
| 08/0871   | EXTENSION TO AGRICULTURAL BUILDING                                                      | PRIOR APPROVAL NOT REQUIRED |
| 22/0457   | ERECTION OF A STEEL FRAMED ROOF COVERING TO EXISTING YARD AREA                          | GRANTED WITH CONDITIONS     |
| 22/0005   | LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED RAISING OF ROOFS AND CONVERSION OF ATTACHED | REFUSED                     |

|         |                                                                                                                                                                                                                                                                                                                                                        |                         |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
|         | BUILDINGS TO HABITABLE ACCOMMODATION                                                                                                                                                                                                                                                                                                                   |                         |
| 22/0636 | CONSTRUCTION OF SIDE AND REAR EXTENSIONS AND CONVERSION OF STORAGE AREAS TO HABITABLE ACCOMMODATION INCLUDING RAISING EXISTING EAVES AND ROOF HEIGHTS AND NEW FENESTRATION TO CREATE 2NO. ANNEXES TO MAIN DWELLING                                                                                                                                     | GRANTED WITH CONDITIONS |
| 25/0331 | NON MATERIAL AMENDMENT APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF 22/0636 CONSTRUCTION OF SIDE AND REAR EXTENSIONS AND CONVERSION OF STORAGE AREAS TO HABITABLE ACCOMMODATION INCLUDING RAISING EXISTING EAVES AND ROOF HEIGHTS AND NEW FENESTRATION TO CREATE 2NO. ANNEXES TO MAIN DWELLING. AMENDMENTS INCLUDE REDUCTION OF SCALE OF ANNEXE | WITHDRAWN               |

## 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)

Policies GP2 (General Amenity), GP4 (Highways and Accessibility), GP5 (Natural Environment), GP6 (Quality of Design), SP5 (Countryside), H13 (Extensions to Dwellings in the Countryside) and CE6 (Archaeology) of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) are relevant to the determination of this application.

### 5.4 SUPPLEMENTARY PLANNING GUIDANCE

- Householder and Domestic Outbuildings Supplementary Planning Guidance (SPG) (January 2020).

## 6. CONSULTATION RESPONSES

### 6.1 ECOLOGY OFFICER: I note in their consultation response of 4<sup>th</sup> June 2025 that NRW have not raised an objection to this application due to the age of the bat survey, which was

conducted in 2022, so on that basis we should not refuse the present s73 application.

NRW have asked that the 'Dear CPO' advisory from 2018 be added to any consent, and they advised on 09/01/2023 in relation to 22/0636:

*'We may wish to discuss minor aspects of the proposed mitigation with the applicant in more detail at the EPS licence application stage. Please note that any changes to plans between planning consent and the EPS licence application may affect the outcome of the licence application.'*

The Applicant should therefore be made aware that at the EPS licensing stage NRW may ask that surveys are repeated and/or that mitigation details are amended in order to ensure no detriment to the maintenance of the favourable conservation status of the bat species present.

Any development should seek to secure biodiversity enhancement or net benefit for biodiversity. For the avoidance of doubt, any measures to provide habitat for bats, including bat roosting boxes, should be **in addition** to those required to mitigate or compensate for impacts upon bats arising from the proposed scheme. In other words, we should be seeking net benefit for bats over and above those measures required to counteract any likely adverse impact identified. We should use our normal planning condition to secure the submission and implementation of a biodiversity net benefit scheme which is separate to any method statement required to secure an EPS licence,

- 6.2 LANDSCAPE OFFICER: I have no comment/objection to the proposed reduction in the building footprint.
- 6.3 GGAT: No response.
- 6.4 HIGHWAYS OFFICER: No highways impacts are anticipated and there are therefore no objections.
- 6.5 NATURAL RESOURCES WALES: We have no objection to the application as submitted and provide the following advice. The application is specifically to amend the size of the development approved under planning permission 22/0636. We have no objection to the proposed variation. However, as you are aware, when we were consulted on the original planning application we responded with concerns (our letter dated 22 November 2023, reference: CAS-242385- N4B0). To overcome our concerns, we requested a condition was imposed in relation to the production of a Construction Environmental Management Plan. We also requested the Bat Survey be included within the condition identifying approved plans and documents on the decision notice. We also requested an informative be attached to the planning permission in respect of an European protected species licence. We therefore advise the condition, document, and informative should continue to be imposed, should your Authority be minded to grant permission for this variation.

## **7. PUBLIC REPRESENTATIONS**

Neighbour and Ward member notification letters were sent on 29<sup>th</sup> May 2025, Site Notice was put up on 6<sup>th</sup> June 2025.

- 7.1 NEIGHBOURS: Neighbours with a common boundary and opposite were consulted and a site notice erected and no responses were received.
- 7.2 NASH COMMUNITY COUNCIL: No response.

## **8. ASSESSMENT**

- 8.1 The property is located within the Caldicot Levels Special Landscape Area (SLA), as such, the proposal must contribute positively to the area through high quality design and materials. The site is also located within the countryside and so the development must respect the landscape character and biodiversity of the immediate area and surrounding area and be of appropriate scale and design. Policy H13 states that beyond settlement boundaries, proposals to extend a dwelling will be permitted provided that the volume of the

extension is not more than 30% of the original dwelling and the existing dwelling has a lawful residential use. The policy is designed to prevent the urbanisation of the countryside through progressive increases in the size of existing dwellings that could alter the character of the rural area. Whilst the 30% volume limit should be applied in principle, where it can be demonstrated that an increase above 30% will not have a detrimental impact upon the character and appearance of the surrounding area such development may be considered acceptable. The proposed extensions would represent less than a 20% increase in volume which is considered to be acceptable.

- 8.2 The proposed changes to the annexe would not be visible from the surrounding properties and would have no impact on privacy or neighbouring amenity. The proposed design, including the fenestration would remain in keeping with the design of the existing dwelling and would have no adverse impact in terms of visual amenity. Similarly, the internal changes would not cause any adverse impact. The proposed annexe would continue to be directly attached to the main dwelling with access into it, and it would be occupied by one of the two sons of the applicant and their respective family who all work at Cross Farm and are required to live on site. These changes are not considered to cause an impact which is different to the original approval and the proposal would be visually acceptable.
- 8.3 In accordance with Chapter 6 of PPW 12 due regard has been given to the fact that the application should be accompanied by a Green Infrastructure Statement, however given the nature of the existing site and scale of the development proposed it is not considered proportionate to request one in this instance.
- 8.4 The proposed amendments to the scheme would not result in an impact different to the scheme approved under 22/0636 in relation to ecology, landscaping, drainage, water quality, archaeology or in relation to the Welsh National Marine Plan (2019). In addition, there have been no other policy changes or a material change in planning circumstances since the date of the previous planning permission (30<sup>th</sup> November 2023), which are considered to affect the assessment of application 22/0636.

## **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 proposal is considered acceptable in accordance with the relevant policies of the Newport Local Development Plan 2011-2026.

#### **11. DECISION**

##### **GRANTED WITH CONDITIONS**

01 The development shall be implemented in accordance with the following plans and documents:

- PP02D Proposed Plans and Elevations
- PP03 J- Existing and Proposed Site Block Plans
- Bat Survey by Ecological Services Ltd, November 2022 Version V2.0
- Package Treatment Plan Supporting Info Rev 1 (received 27/07/2023)

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

02 The development hereby permitted shall be used only insofar as it forms 2no. annexes to the existing dwelling and at no time shall these annexes be occupied independently of the main house or sold or let as a separate unit, and no separate curtilage(s) shall be established.

Reason: In order to prevent the creation of dwellings or commercial use which would be contrary to the Council's policies.

03 No work shall be commenced on the construction of the approved scheme until details or samples of materials and finishes to be used on the external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

Reason: To ensure that the development is completed in a manner compatible with its surroundings in accordance with policy GP6.

04 Prior to the commencement of development, a soft landscape scheme alongside an associated management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the restoration and enhancement of hedgerows within the ownership of the applicant including those forming the boundary between the residential and agricultural areas.

The scheme of landscaping hereby approved shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the date of this permission. Thereafter the trees, grasses and shrubs shall be 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.

Reason: To secure the satisfactory implementation and maintenance of the soft landscape scheme in the interests of residential and visual amenity and rural character having regard

to policies SP5, GP2 and GP6 of the adopted Newport Local Development Plan.

05 No development or phase of development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

To protect the SSSI, a buffer zone 7m to the top of the reën bank must be implemented. There should be no storage of materials including soil piles or fuel storage in this buffer and where possible no trafficking of vehicles.

Reason: To ensure necessary management measures are agreed and implemented for the protection of the environment during construction in accordance with policies SP9 and GP5.

06 The mitigation measures stipulated in section 10 of the Bat Survey Report provided by Ecological Services Ltd and dated November 2022 shall be carried out in full prior to the first beneficial use of the development hereby approved.

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

07 Prior to the commencement of development, a scheme of Biodiversity Enhancement Measure(s) and an Implementation Timetable shall be submitted to and approved in writing by the Local Planning Authority. The Biodiversity Enhancement Measure(s) shall thereafter be undertaken in accordance with the approved scheme and Implementation Timetable and retained thereafter for the lifetime of the development.

Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with Policy 9 of Future Wales and policies SP9 and GP5 of the Newport Local Development Plan 2011-2026.

08 The package treatment plant shown on PP03 Rev J - Existing/Proposed Site Plans shall be implemented in accordance with the details outlined in report ref: Package Treatment Plan Supporting Info Rev 1 (received 27/07/2023) prior to the first beneficial use of the development hereby approved.

Reason: In the interests of protecting the SSSI in accordance with policies SP9 and GP5.

#### *NOTE TO APPLICANT*

01 This decision relates to plan no.s:

- PP02D Proposed Plans and Elevations
- PP03J - Existing and Proposed Site Block Plans
- PP04 – Site Location Plan
- Bat Survey by Ecological Services Ltd, November 2022 Version V2.0
- Package Treatment Plan Supporting Info Rev 1 (received 27/07/2023)
- PP01 - Existing Floor Plans and Elevations,

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP6 and CE7 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.

04 Warning: A European Protected Species (EPS) licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/ or receive an unlimited fine. Development should not be commenced until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorising the specified activity/ development to go ahead. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000, or at [https://naturalresources.wales/permits-and-permissions/protected-species\\_licensing/european-protected-species-licensing/information-on-european-protected\\_species-licensing/?lang](https://naturalresources.wales/permits-and-permissions/protected-species_licensing/european-protected-species-licensing/information-on-european-protected_species-licensing/?lang)