

APPLICATION DETAILS

No: 25/0375 **Ward:** Pillgwenlly

Type: Full (Major)

Expiry Date: 16th January 2026

Applicant: LNT Care Developments Ltd

Site: Land Formerly Known As Whitehead Works Mendalgief Road Newport South Wales

Proposal: ERECTION OF A 66NO. BEDROOM CARE HOME (USE CLASS C2) FOR OLDER PEOPLE WITH ASSOCIATED ACCESS, PARKING , LANDSCAPING AND ANCILLARY BUILDINGS

Recommendation: GRANTED WITH CONDITIONS

1. INTRODUCTION

- 1.1 This application seeks planning permission for the construction of a 66 bed, 3 storey Care Home with associated access, parking, landscaping and ancillary buildings at Land Formerly known as Whitehead Works, Mendalgief Road in the Pillgwenlly ward.
- 1.2 The application is reported to planning committee as it meets the definition of 'Major Development' as per the Article 2 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, owing to the floorspace created being created exceeding 1,000sqm.
- 1.3 In line with their duty under Part 1a of The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 the applicant has undertaken a Statutory Pre Application Consultation (PAC) and provided the Local Planning Authority with the report.
- 1.4 The proposed development has been screened under Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It is concluded that the development is unlikely to have a significant environmental effect and is not EIA development.

2. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
15/0775	CONSTRUCTION OF 529NO. RESIDENTIAL UNITS, 24NO. ASSISTED LIVING UNITS, PUB/RESTAURANT, RETAIL UNITS, PRIMARY SCHOOL AND ASSOCIATED LANDSCAPE AND HIGHWAY INFRASTRUCTURE (OUTLINE)	GRANTED WITH CONDITIONS SUBJECT TO S106	11.09.2018
18/1039	RESERVED MATTERS (ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) FOR 471NO. DWELLINGS PURSUANT TO OUTLINE PERMISSION 15/0775	APPROVED WITH CONDITIONS	17.03.2020
18/1142	RESERVED MATTERS (ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) FOR 19NO. RESIDENTIAL UNITS PURSUANT TO OUTLINE PERMISSION 15/0775	APPROVED WITH CONDITIONS	09.04.2020
19/0439	REMOVAL OF CONDITION 30 (ACOUSTIC BARRIER/BUND) AND VARY CONDITIONS 01 (RESERVED MATTER REQUIREMENTS OUTSIDE LOCKED DOWN AREA), 02 (RESERVED	GRANTED WITH CONDITIONS	21.04.2021

	MATTERS REQUIREMENT WITHIN LOCKED DOWN AREA), 03 (PLANS), 13 (IMPORTATION OF MATERIAL), 14 (PHASING), 15 (BOULEVARD TREE PLANTING), 19 (COIL COLOUR VEHICLE ACCESS), 21 (REMEDIATION VERIFICATION REPORT), 22 (MANAGEMENT AND MAINTENANCE PLAN OF PHASE 4), 28 (BIODIVERSITY AND ECOLOGY ENHANCEMENTS), 33 (ECO-PARK PEDESTRIAN CROSSING POINTS), 34 (ECO-PARK BOUNDARY TREATMENTS), 35 (DRAINAGE), 41 (MONBANK FOOTPATH LINK), 43 (LAYOUT AND HEIGHT PARAMETERS OF APARTMENT BLOCK IN LOCKED-DOWN AREA), 48 (ASSISTED LIVING UNITS) OF PLANNING PERMISSION 15/0775 FOR CONSTRUCTION OF 529NO. RESIDENTIAL UNITS, 24NO. ASSISTED LIVING UNITS, PUB/RESTAURANT, RETAIL UNITS, PRIMARY SCHOOL AND ASSOCIATED LANDSCAPE AND HIGHWAY INFRASTRUCTURE		
21/0464	RESERVED MATTERS APPLICATION RELATING TO LANDSCAPING, LAYOUT, ACCESS, APPEARANCE AND SCALE FOR 39 RESIDENTIAL UNITS IN APARTMENT BLOCKS P AND Q PURSUANT TO OUTLINE PLANNING PERMISSION 19/0439 FOR THE CONSTRUCTION OF 529NO. RESIDENTIAL UNITS, 24NO. ASSISTED LIVING UNITS, PUB/RESTAURANT, RETAIL UNITS, PRIMARY SCHOOL AND ASSOCIATED LANDSCAPE AND HIGHWAY INFRASTRUCTURE ON LAND FORMERLY KNOWN AS WHITEHEAD WORKS, AND DETAILS TO PARTIALLY DISCHARGE CONDITIONS 5 (PHASING), 14 (PHASING), 16 (NOISE), 17 (NOISE), 23 (SLAB LEVELS), 24 (DETAILS AND SAMPLES OF MATERIALS AND FINISHES), 26 (HARD LANDSCAPING MATERIALS), 27 (LANDSCAPE DESIGN), 32 (HIGHWAYS DETAILS), 35 (DRAINAGE), 36 (DRAINAGE MANAGEMENT), 37 (BIN STORAGE), 38 (GARAGE/PARKING FACILITIES), 39 (FOOTPATHS)	APPROVED WITH CONDITIONS	22.12.2021
22/1082	RESERVED MATTERS APPLICATION RELATING TO LANDSCAPING, LAYOUT, ACCESS, APPEARANCE AND SCALE FOR A NEW PRIMARY SCHOOL PURSUANT TO OUTLINE PERMISSION 19/0439 FOR THE CONSTRUCTION OF 529NO. RESIDENTIAL UNITS, 24NO. ASSISTED LIVING UNITS, PUB/RESTAURANT, RETAIL UNITS, PRIMARY SCHOOL AND ASSOCIATED LANDSCAPE AND HIGHWAY INFRASTRUCTURE ON LAND FORMERLY KNOWN AS WHITEHEAD WORKS, AND DETAILS TO PARTIALLY DISCHARGE CONDITIONS 18 (NOISE MITIGATION), 23 (SLAB LEVELS), 24 (MATERIALS AND FINISHES), 25 (BOUNDARY TREATMENTS), 26 (HARD LANDSCAPING MATERIALS), 27 (LANDSCAPING AND MANAGEMENT), 29 (CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN), 31 (NOISE ASSESSMENT, PLANT AND EQUIPMENT), 32 (HIGHWAYS DETAILS), 35 (DRAINAGE), 36 (DRAINAGE	APPROVED WITH CONDITIONS	14.07.2023

	MANAGEMENT), 37 (BIN STORAGE), 38 (GARAGE/PARKING FACILITIES), 39 (FOOTPATHS) AND 42 (FLOODLIGHTING)		
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3. POLICY CONTEXT

3.1 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 8 – Flooding
- Policy 9 – Resilient Ecological Networks and Green Infrastructure
- Policy 12 – Regional Connectivity
- Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

3.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 TECHNICAL ADVICE NOTES (TAN)

TAN 5 – Nature Conservation and Planning;
TAN 12 – Design;
TAN 15 – Development, Flooding and Coastal Erosion;
TAN 18 – Transport;
TAN 23 – Economic Development;
TAN 24 - The Historic Environment

3.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Strategic Policies:

- SP1 Sustainability
- SP2 Health
- SP5 Flood Risk
- SP9 Conservation of the Natural, Historic and Built Environment
- SP17 Employment Land
- SP18 Urban Regeneration

General Policies:

- GP1 General Development Principles – Climate Change
- GP2 General Development Principles – General Amenity
- GP4 General Development Principles – Highways and Accessibility
- GP5 General Development Principles – Natural Environment
- GP6 General Development Principles – Quality of Design
- GP7 General Development Principles – Environmental Protection and Public Health
- H1 Housing Sites
- T4 Parking
- T5 Walking and Cycling
- W3 Provision for Waste Management Facilities in Development

3.5 SUPPLEMENTARY PLANNING GUIDANCE

Parking Standards;
Sustainable Travel;
Waste Storage and Collection;
Wildlife and Development.

4. CONSULTATIONS

4.1 NATURAL RESOURCES WALES:

Final Response

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following conditions to any planning permission granted:

Condition 1-3: Land Contamination Condition 4: Pollution Prevention

Please note, without the inclusion of these conditions we would object to this planning application. Further details are provided below.

European and Fully Protected Species

We note additional information has been submitted regarding bats, namely 'Bat Emergence Survey, Mendalgief Road, Newport, South Wales' revision 001, reference: LNT001-019-006/001/001 by Thomson Environmental Consultants dated 08/08/2025. We note that this information submitted in support of the above application has identified that bats are unlikely to be using the application site. We therefore have no comments to make on the application as submitted in respect of bats.

We recommend that you discuss the need to secure further measures/ avoidance measures with your internal ecological advisor.

We advise liaison with your internal ecological advisor regarding other species.

Land Contamination, Pollution Prevention and Flood Risk

We refer you to our advice and request for conditions regarding Land Contamination, Pollution Prevention and Flood Risk as set out in our pre-application response dated 24th July 2025, our reference: CAS-283526-S4Z9, attached for ease of reference.

4.2 DWR CYMRU WELSH WATER:

Final Response:

Firstly, following works on site we confirm the watermain previously mentioned within the site boundary has been isolated and therefore the proposed site layout no longer has impact to our assets and its protection zone. We therefore remove our holding objection and provide the below comments:

With respect to the submitted application form and accompanying 'Surface Water Drainage Strategy' and 'Foul Water Drainage Strategy' (Drawing No. 6375-JPG-ZZ-ZZ-DR-D-1400 & 1401), we acknowledge that the development proposes to discharge foul and surface water flows to a private surface water sewer respectively. The proposed development site is located in the catchment of a public sewerage system which drains to Nash Wastewater Treatment Works (WwTW). We have considered the impact of foul flows generated by the proposed development and concluded that flows can be accommodated within the public sewerage system.

Turning to surface water drainage, as of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. In this instance, we offer no objection to proposals for disposal of surface water flows into a private surface water sewer, in principle, subject to consultation and agreement with the regulatory body or riparian owner of this system.

In addition, the water supply system in the immediate vicinity has insufficient capacity to serve the development and will also cause detriment to existing customers' water supply. A hydraulic modelling assessment is required to establish the scope of any reinforcement works

to be completed in advance of making the connection and can be secured by a suitably worded planning condition.

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Conditions

No buildings on the application site shall be brought into beneficial use until such time as reinforcement works to the local water supply network, at which the development shall connect, have been completed as identified in a Hydraulic Modelling Assessment and written confirmation of this has been issued to the Local Planning Authority.

Reason: To ensure the site is served by a suitable potable water supply.

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

4.3 **SOUTH WALES FIRE:** No response to date.

4.4 **AMBULANCE:** No response to date.

4.5 **GWENT POLICE:** No response to date.

4.6 **HENEB** (formerly Glamorgant Gwent Archaeological Trust): No objection.

5. INTERNAL COUNCIL ADVICE

5.1 Highways:

No objection subject to conditions.

The layout provides appropriate levels of parking of all types. Cycle parking however is not detailed, and it is not clear if it is appropriately proportioned and enclosed. Provision for staff and residents requires a higher quality of provision than visitor facilities do. This should be addressed via condition.

Scooter and cycle charging facilities should be considered for this use, but there are no standards or policies to be enforced. They could be associated with the cycle parking.

Electric vehicle charging is proposed but not detailed beyond number and location. This should be addressed via condition.

Access details do not include details of gates. For the avoidance of doubt no gates would be supported unless set back at least 5m behind highway boundary.

Visibility splays have not been shown, but the proposed layout is anticipated to provide sufficient visibility.

5.2 Landscape:

A revised landscape scheme has been submitted - 'Landscape Masterplan' by Mood Landscape – rev B.

Layout issues remain.

- The layout does not allow room even for 1m width of hedge planting to screen parked cars as highlighted below – as the site is at the entrance to the wider estate I would advise this is poor layout design at an important location and will be overlooked by flats on Walker Point Way. I assume the treatment for public open space is mown grass, but have asked for the context to be shown;
- the layout shows another sub-station which will be on full view to Mendalgief Road with no planting to soften/screen (immediately adjacent to an approved sub-station) resulting in a poor quality landscape at the main entrance to the wider residential development – a mix of fencing/planting is required.
- I still have a concern regarding shadow from the 3 storey building which will affect the garden amenity terrace to the north appears to be in permanent year-round shadow.

Soft landscape details

- Planting behind railings along Mendalgief Road to the east is now shown on landscape drawn sections which is welcome, planting design is fine, the detail is important but the detail has not translated onto the planting plan. In particular the tree species still need to be located – and several are sized at 10-12cmg which if these are to be sited along Mendalgief Road will be too small to make an immediate impact on street scene views.

Soft landscape maintenance/management

- A plan covering the initial five years is required and could be conditioned.

5.3 **Trees:** No response to date.

5.4 **Principal Heritage Officer:**

This proposal is for a purpose-built 66-bedroom residential care home over three storeys, with associated access, parking, landscaping, and ancillary buildings. It will be situated on land which has outline planning consent for a mixed-use, residential led development (including elderly care accommodation) under application 15/0775.

Heritage comments relating to 15/0775 observed that the site is not located within a Conservation Area, nor does it contain any heritage assets such as listed buildings, locally listed buildings, or scheduled monuments. However, the site is located approximately 40m to the south of Belle Vue Conservation Area and Belle Vue Historic Park and Garden. This registered area contains several listed buildings, with the nearest being Cardiff Road Lodge, approximately 45m away from the site. Of particular relevance is that significant view within the Grade II Registered Park; one which affords views from the elevated Grade II Pavilion and attached Conservatories (Cadw Ref. 16955) and the Grade II Terracing below (Cadw Ref. 16956), through the treed park slopes below and towards the wider city beyond.

Notwithstanding the above, the proposed site is detached from those heritage assets, being separated by the substantial park boundary, the wide and busy Cardiff Road, a railway line, and a swathe of mature vegetation which borders the proposed site to its northern edge. Considering also that the proposed site has formerly been in industrial use, is substantially offset from that identified key view within Belle Vue Park - and given the significant separation of the site from the abovementioned registered assets, it is considered that the proposed development would not impact upon their setting.

5.5 **Ecology:**

I have noted the Preliminary Ecological Appraisal and the bat and reptile survey report submitted in support of this application, and in general I agree with the methodology and conclusions set out in those reports.

I note that a Green Infrastructure Statement has not been provided. This would be useful explain how the ecology, sustainable drainage, soft landscaping and trees have been planned in an integrated way which benefits the development and its surrounding green infrastructure.

In terms of securing net benefit for biodiversity, as required by PPW12, I support the comment in section 6.1.1 of the Preliminary Ecological Appraisal which states:-

'Bird and bat boxes to be fitted to the buildings on the development to benefit priority and local action plan species such as house sparrow, swift and soprano pipistrelle. Ideally, bird boxes should face between north and east while bat boxes should be placed facing south, south-east or south-west. Boxes should be placed above three metres from the ground to avoid disturbance but remain sheltered from strong wind.'

In this instance, the design of the building, with eaves above the second floor facing east, strongly lends itself to the integration of Universal Swift Bricks. The applicant's ecologist can advise on the make and model and suitable positioning of these features. Bat / bird boxes such as these are readily available commercially, are inexpensive, and can be tailored to the style and colour of the finish of the buildings. Features which are integrated into the buildings rather than attached to the outside are preferable as they are more secure in the long-term and less prone to interference by the public.

In my view, the building could easily accommodate 8 swift bricks, broadly in the location highlighted in red below, although the Applicant should take the advice of their Ecological Consultant as to exact locations.

These and other measures to achieve net benefit for biodiversity, for example the recommendations set out in Section 6 of the PEA, should be secured in a planning condition requiring submission and implementation of a biodiversity enhancement scheme.

5.6 **Public Rights of Way:** No response to date.

5.7 **Drainage:** No response to date.

5.8 **Environmental Health:** No response to date.

5.9 **Senior Scientific Officer:**

Air Quality

No objection (Recommends conditions).

Contamination

In terms of contaminated land in respect of the below application I note that a Geoenvironmental Appraisal has been completed by Lithos that summarises all the previous investigations and remediation activities that have occurred at the site. It is noted that after examining this report that there is evidence of some residual issues with elevated diesel range organics / VOCs, radon (the site is within the 10% to 30% band) and asbestos fibres. It seems likely that an impermeable membrane / radon protection will need to be installed under the proposed care home as part of the remediation strategy. The following planning conditions are strongly recommended:

- Contamination Condition:
- Unforeseen Contamination Condition:
- Imported Material Condition;
- Bunded Compound Condition.

5.10 **Waste:** No objection.

5.11 **Streetworks:** No response to date.

5.12 **Planning Contributions Manager:** No response to date.

5.13 **Adult Services:** No response to date.

6. REPRESENTATIONS

- 6.1 In accordance with the publicity requirements set out in The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 neighbour notification letters (104) were sent on 14th August 2025, a Site Notice was put up on 22nd August 2025 and press noticed published in the South Wales Argus on 30th August 2025.

1 no. objection has been received, with concerns summarised below;

- Minimal parking provided that will cause road traffic and safety concerns towards young children.

- 6.2 COUNCILLORS ADAN/JENKINS: No response received to date.

7. ASSESSMENT

7.1 The Proposal:

- 7.1.1 This application seeks planning permission for the construction of a 3 storey purpose built 66no. bedroom residential care home (Use Class C2) along with associated access, parking, landscaping and ancillary buildings at land to the west of Mendalgief Road.
- 7.1.2 The care facility will be fully compliant with the National Care Standards Act 2000 and resulting Statutory Guidance providing single room accommodation, with ensuite facilities and communal/recreational space. The scheme has been developed in a configuration that enables the care home to provide two types of care – general resident and residential dementia. Its plan layout and internal arrangement allow the home to be split into the separate care requirements depending on need in the home.
- 7.1.3 The proposal comprises a single building arranged over three storeys, positioned broadly at the centre of the site allowing for communal recreational space, landscaped areas, access and car parking and ancillary features to be located throughout the site. The building will measure a maximum width of approximately 77.00 metres and maximum depth of approximately 17.50 metres and has been designed to incorporate a central communal core with two splayed wings either side, predominantly containing the residential ensuite bedrooms along with other ancillary features. The façade and roof design has been subject to negotiation, with the final scheme including a stepped design to help break up and scale and massing of the building. The lower roof sections reach a height of 11.70 metres, with the tallest central section reaching a maximum height of 12.80 metres.
- 7.1.4 In terms of external material finish, a mix of brick and render is proposed, to reflect the local vernacular. The building will have a buff multi brick plinth, with red multi brick above and each façade will be broken up using light render areas. Fenestration will comprise of Anthracite Grey windows and doors and architectural detailing including brick sills, headers and window surrounds are proposed to create visual interest, with the use of horizontal Cedral cladding also introduced between openings to break up the massing of facades. Within the western primary elevation of the building a flat roof projection provides a focal point to the building entrance and ground floor lobby area to provide legibility. This will be constructed from the buff multi brick to match the buildings plinth and also provide an enclosed first floor terrace space for residents.
- 7.1.5 Externally, the site will be accessed from the public highway to the south and will provide 25no. parking spaces as well as ambulance/taxi drop off area with 2no. disabled/mobility spaces close to the main entrance and 6no. electric vehicle charging spaces near the site entrance. A secured cycle store is also proposed for residents, staff and visitors in the western elevation. The site boundary along Mendalgief Road is enclosed by 1.80m high railings, to the south the public open space (outside of site) is separated by a low post and rail fence and to the west a 1.80m high timber hit and miss fence is proposed at the boundary with the approved residential phases.

7.1.6 In terms of the proposed operation of the Care Home, it is anticipated that 50 to 60 jobs will be generated, working over a rotational shift pattern. A maximum of 24no. staff members would be present on site at any one time due to the shift pattern and staggered shift changes that would occur.

7.2 Site Context & History:

7.2.1 The site forms part of the former Whitehead Works industrial site, which is over 17ha in size and located south of the City Centre. This wider development site is allocated for Housing under Policy H1(51) of the Newport Local Development Plan 2011-2026 (adopted January 2015) and Outline planning permission was granted for the mixed use redevelopment of the site under application reference 15/0775 and a subsequent S.73 application to vary plans under 19/0439. Figure 1 below, shows the land use parameters as per the Outline consent.

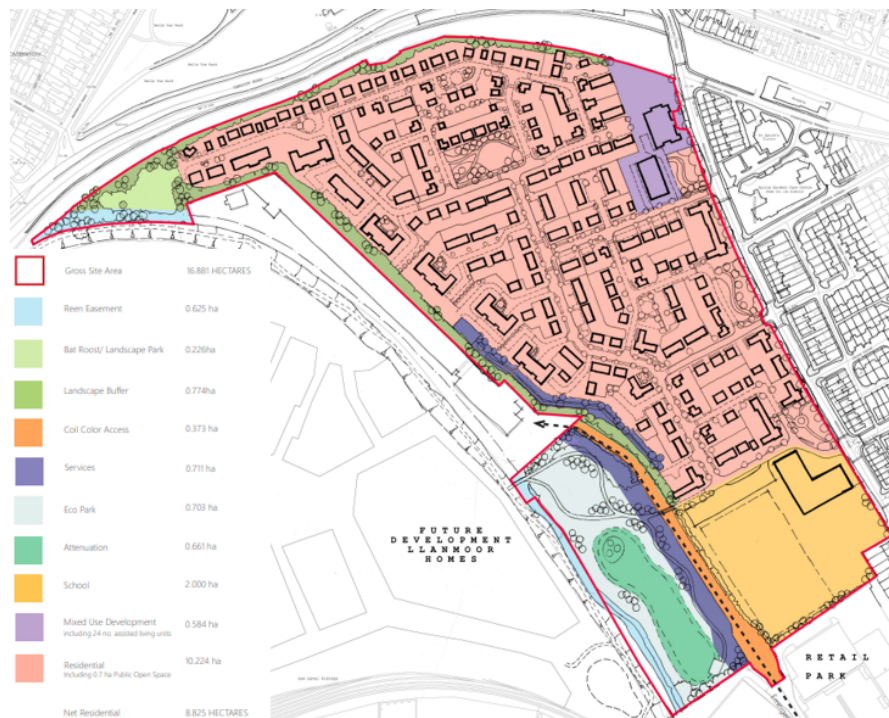


Figure 1 – 19/0439 Outline Parameters Plan - Land Use

7.2.2 Reserved Matters for 471no. dwellings pursuant to the Outline permission was granted in 2019 and much of the site now developed out along with the construction of a Primary School.

7.2.3 The area of the site to which this Care Home application relates is the north eastern corner. Under the Outline approval, this portion of the site was approved for mixed use, up to 24no. assisted living units and open space. To date, no Reserved Matters application has been submitted in relation to this section of the site and it is currently vacant. This application is submitted as a Full Application and is independent from the previous consents, it's noted that the overall housing numbers and open space requirements have been met throughout the wider redevelopment of the site. Therefore, no conflict with the associated legal agreement has been identified. A small area of land remains undeveloped and outside the limits of this application, the Local Planning Authority expects a subsequent application for this parcel of land to be forthcoming in the future detailing the landscaping details.

7.3 Principle of Development:

7.3.1 The land meets the requirements to be considered brownfield/previously developed in accordance with the definition contained within Planning Policy Wales 12 and is within the Urban Boundary as defined within the NLDP 2011-2026 (adopted January 2015). It is currently vacant, but forms part of the wider development site allocated for Housing via the

wider site under Policy H1(51) of the plan. As part of the planning permission this section of the site was to be developed as a mixed use and the wider development has met the number of housing numbers as per the allocation under Policy H1(51) of the plan.

7.3.2 Objective 1 – Sustainable Use of Land of the NLDP seeks to ensure that all development makes the most efficient use of natural resources by seeking to locate development in the most sustainable locations and minimise impact on the environment and make a positive contribution to local communities.

7.3.3 The proposed development is considered to be acceptable in principle, subject to all other material planning considerations being suitably addressed.

7.4 **Quality of Design and Visual Impact:**

7.4.1 PPW 12 confirms that good design is integral to placemaking, ensuring development responds positively to its context, prioritises people focused and inclusive environments, supports active movement, and delivers a high quality public realm. Through these principles, good design contributes to the creation of sustainable places that promote health, wellbeing and long term environmental resilience, with expectations applied proportionately to the scale and nature of the proposal.

7.4.2 Policy GP6 requires development proposals to demonstrate high quality design that responds positively to local context. The policy seeks to ensure that development respects the character, scale, massing, layout and appearance of the surrounding area; creates attractive, safe and inclusive environments; and contributes positively to the public realm. Proposals should promote legible layouts, good accessibility and movement, and incorporate appropriate levels of landscaping and open space.

7.4.3 In terms of the site layout, this has been designed so that the building is located centrally within the site. This is adequately set back from the eastern boundary with Mendalgief Road and ensures that as you approach from the north the building does not dominate the streetscape. Along this boundary, a high quality treatment consisting of 1.80 metre high curved railings secure the site, but allows for visual permeability as opposed to a solid or incongruous enclosure. From a placemaking perspective, the railings and the soft landscaping including open space, hedge and tree planting set behind make a positive contribution to the character of the street scape. The presence of a substation is noted to the south west of the site, and whilst full details have not been provided, the proposed site plan shows a design with a hipped tiled roof which would suggest a small brick building would house the equipment as opposed to a GRP structure. From a design perspective, this would be acceptable but submission of final details will need to be secured by planning condition.

7.4.4 Pedestrian and vehicular access is provided from Walker Point Way to the south and leads to parking within the site and the main entrance. The entrance to the building is defined by a single storey flat roof projection centrally within the western elevation which is clear and provides legibility for people accessing the site. The building is set well away from the western boundary of the site that leads to residential properties and soft landscaping is proposed to the front of the building to include hedge, tree and ornamental planting which gives a pleasant visual amenity. The layout includes cycle and refuse stores as well as some other small ancillary structures of which details will need to be secured to ensure acceptable design. To the north of the building open space and planting is found and this gives relief to the landscape features laying beyond the northern boundary.

7.4.5 The proposed building is of three storey scale reaching a height of between 11.70 metres and 12.80 metres and this is comparable to flatted buildings that have recently been built within the wider development site, including four three storey buildings along Mendalgief Road, with the closest being located directly south of the site at the junction with Walker Point Way. These three storey buildings reach a broadly comparable height of 12.40 metres. The design of the building includes a central core with two splayed wings north and south. These wings are splayed away from the eastern boundary and set the footprint of the building back from the public realm, which helps to reduce its overall massing, as opposed to if it were one

straight block. The site is also shown to be set down from the public highway, which would further assist to mitigate the scale and height of the building within the surrounding context.

- 7.4.6 Design amendments have been negotiated over the course of the application, with the initially submitted scheme including a flat roof. This flat roof design was not considered appropriate in this context given the surrounding architectural style, character and roof design, whilst also providing the elevation with less variation within this prominent location. As such, the roof form was reviewed and the currently proposed scheme has been submitted for consideration. This revised design includes varied roof heights across the building with it being hipped either end. Stepping the roof height provides rhythm and void that creates visual relief to the overall building and a variation and interest across the façade, which gives the building a distinctive appearance and in turn is considered to contribute positively to the character and appearance of the street scape. The stepped roof along with the hips help to reduce the scale of the building and manage its overall mass. Both roof planes are proposed to have photovoltaic panels installed and this is considered to be a merit of the scheme and increases sustainability credentials, which are important when considering good design. Given the visibility of the building the design and appearance of these panels is important, and final details (including appearance, location and projection) will need to be controlled via planning condition.
- 7.4.7 The eastern elevation of the building is effectively it's rear in functional terms. However, as it faces onto the public realm it is important that this elevation is sufficiently designed so that it does not turn its back. Across the building a mix of traditional materials are used including two types of facing brick and render and these are typical with the materials found across the existing local vernacular and also the new dwellings constructed within the wider development site. The mix of render and brick breaks up both west and eastern elevations along with a mix of fenestration that provides natural surveillance to Mendalgief Road. Architectural detailing including brick sills and headers over openings and grey horizontal cladding add further detail and interest to the elevations of the building and contribute to a good quality of design. The proposed materials are considered to be appropriate to the locality and are robust, however submission of final details/specifications will need to be secured by planning condition.
- 7.4.8 Overall, it is considered that the proposed development has been appropriately designed so that it is of good quality, meets placemaking objectives and contributes positively to the character and visual amenity of the local area. As such, the proposal complies with Policy SP1, SP9, GP2, GP6 of the NLDP 2011-2026 (adopted January 2015) and PPW12.

7.5 Residential Amenity:

Neighbouring Properties

- 7.5.1 Policy GP2 Criterion i) states that development will be permitted where *"There will not be a significant adverse effect on local amenity, including in terms of noise, disturbance, privacy, overbearing, light, odours and air quality."*
- 7.5.2 In terms of the use, the residential care home is in keeping with the residential character of the surrounding area and is considered to be appropriate in this location. This was also established in the previous Outline and Reserved Matters applications, where this part of the site was granted with the intention of being of mixed use with assisted living units. As such, the main consideration to be assessed is the operational development of the 3no. story building and whether there is likely to be any unacceptable impact on the residential amenity of neighbouring properties.
- 7.5.3 To the east of the site, the nearest properties are at 138 to 154 Mendalgief Road and their front elevations are located at a distance of approximately 20.00 metres from the site boundary, and 30.00 metres from the proposed building itself. Based on the separation distance, as well as the intervening highway and the fact the site is to be slightly lower, there

is not considered to be any overbearing impact on these properties as a result of the development. Considering the proposed building is located west of these properties and again taking into account the separation distance of approximately 30.00 metres, there is not considered to be any significant impact on sunlight received by these properties either. As the distance between facing habitable windows (which are protected in the New Dwellings SPG) is in excess of 21.00 metres there is no demonstrable impact on privacy as a result of the proposal.

- 7.5.4 To the south, a distance of circa 35.00 metres separates the narrower side elevation of the proposed building and the closest building at Elmtree House, which is a recently developed flatted building. Due to the location, orientation and separation distance there are no concerns over privacy, overbearing impact or sunlight as a result of the proposal.
- 7.5.5 Finally, to the west are new build dwellings that form part of the overall development site. These are the properties most closely related to the proposal. 23 to 29 Walker Point Way have rear elevations that face the site, but are a distance of circa 47.00 metres from the splayed edge of the proposed building. Whilst it would be visible, given this significant separation distance and form of the building there would be no harmful adverse impact on their residential amenity. The properties sharing the closest relationship with the site are 24 and 26 Cape Yelcho Road, which have east facing side gables towards the site. As such, no primary (protected) openings face the application site and this is considered to mitigate for a large element of any potential harm. Owing to this orientation, there are no habitable windows that would directly face each other and cause an issue on internal privacy. The northern wing of the proposed building is orientated in a way that elevated views from openings would predominantly relate to the communal front areas of each property and their cul-de-sac. However, it is acknowledged that views from the proposed southern wing of the building would face the rear garden of no.24, but at the closest distance of approximately 22.50 metres and in most cases more towards 25.00 metres. Oblique views from the southern wing would be available towards the rear elevation of the property, but again at longer distances of circa 32.00 metres. An external first floor terrace is proposed and is accessed via the tea room. It would reasonably be expected for residents to use this amenity space in periods of good weather and this brings a closer relationship to the rear garden of no.24 with perpendicular views available. The use of this raised outdoor space could result in an overlooking, or a perception of overlooking, as a result. It is noted that the elevation drawings show a 1.80m high glazed balustrade around the edge of the terrace and a planning condition can control that this glazing is obscured to prevent overlooking of this property.
- 7.5.7 It is accepted that the existing relationship of the property with the currently vacant plot is set the change, however due to the design and layout of the building and the site, and the separation distances proposed there is not considered to be any demonstrable harm on neighbouring residential amenity identified.
- 7.5.8 It is noted that soft landscaping measures such as a native hedge row and tree planting are proposed along the site boundary with properties to the west of the site. At this stage, the proposed scheme of soft landscaping is not being finalised and a planning condition will be attached to any forthcoming consent to secure final details (as discussed within the Landscape section of this report). A limited number of trees are proposed at strategic locations within the site, which may provide some additional screening and mitigation benefits. However, this planting is not considered essential for the preservation of existing residential amenity in this instance. The proposed soft landscaping will be subject to a maintenance schedule for a period of five years. This schedule is intended to ensure the establishment and upkeep of the planting but is not specifically required to safeguard residential amenity.

- 7.5.9 It is considered that the proposed development would not result in a demonstrable impact on neighbouring properties and that their residential amenity is preserved.

Future Occupiers

- 7.5.10 Policy GP2 Criterion v) states that development will be permitted where there is “adequate amenity for future occupiers.” The applicant has confirmed that the development has been designed so that it is fully compliant with the National Care Standards Act 2000 and resulting Statutory Guidance providing single room accommodation, with ensuite facilities, and a more than suitable ratio of communal/recreational space per resident with level/amenable access throughout.
- 7.5.11 From a planning assessment perspective, there is no set standard for the proposed use, with Policy GP2 outlining adequate amenity for future occupiers will need to be achieved within development. Each bedroom is considered to be of a suitable layout and measures 14.60sqm, with an additional 4.10sqm ensuite. Each bedroom is served by a large window that provides outlook, natural light and ventilation for residents and is considered to provide a satisfactory amenity for their private space. Communally, each floor is served by a large central lounge and diner as well as an additional tea room provide at first floor and library at second floor. These communal rooms again have plenty of openings to provide a good sense of space, outlook and natural light.
- 7.5.12 Directly to the rear of the building provision has been made for a ground floor patio area and there are also wider soft landscaped areas to the side and rear that can be utilised and are enclosed by railings so that residents are secure within the site. A small first floor patio is also provided at the reception area that can be accessed via the tea room.
- 7.5.13 A Noise Impact Assessment has been undertaken and submitted with the application, and has considered potential sources of noise impact on the proposal, which is set out primarily as being road traffic from Mendalgief Road. External noise levels are moderate to low and would be well controlled in internal rooms when occupants decide to keep their windows closed. As such, the assessment has focussed on the acoustic implications when occupants choose to open their windows, for example to provide ventilation or warm days.
- 7.5.14 The assessment has concluded that noise levels are moderate and would be well controlled within the standard building elements. The proposed scheme is not expected to experience a significant adverse noise impact and the site is considered acceptable for a residential use.
- 7.5.15 Overall, it is considered that the proposed development will provide future occupiers with an acceptable level of residential amenity.

7.6 Highway Safety and Parking:

- 7.6.1 The site is located within Parking Zone 4 as per the adopted Parking Standards. In one neighbour objection received, the proposed provision of parking is cited as being a concern. The adopted Parking Standards require 1 space per 3 non-resident staff and 1 space per 4 beds for visitors. With there being up to 25 members of staff on shift at one time and 66no. bedrooms, this would equate to 24.5 spaces, or 25 spaces as a rounded figure to meet the parking standards. A total of 25no. parking spaces have been provided as well as an ambulance/taxi drop off, with 2no. mobility spaces located close to the entrance and 6no. electric vehicle car charging points included within the overall provision. The parking provision provided is based on the applicant's operating experience and from available TRICS data from other comparable sites. A Transport Statement has been submitted in support of the proposed development.

7.6.2 The Council's Highways Officer has reviewed the application and has confirmed that the proposed layout provides appropriate levels of parking of all types and has raised no issues with the proposed access for the development.



Figure 2 – Sustainable Travel Hierarchy for Planning (PPW12)

7.6.3 The Transport Statement has considered the Sustainable Travel Hierarchy for Planning as set out in Planning Policy Wales (PPW) Edition 12, which aims to reduce reliance on private motor vehicle and supports a modal shift towards walking, cycling and public transport. The site is sustainably located, with local amenities situated nearby and accessible on foot, cycle or public transport. Given the nature of the proposed use, it should be noted that not all occupiers would be able to reach such amenities by way of active travel, however the location would allow this form of travel where possible. It is noted that cycle parking is not detailed and this will need to be addressed via planning condition as per the recommendation of the Highways Officer. It is anticipated that the provision of cycle parking would be targeted for use by staff and visitors as opposed to residents of the care home.

7.6.4 In the Highways Officer's response they have commented that scooter and cycle charging should be considered for this use. However, there is no planning policy of Supplementary Planning Guidance that requires this provision, and as such it cannot be insisted upon. As you enter the ground floor lobby, there is an area to the left hand side that would be a logical location for storage of mobility scooters, however ultimately it is for the applicant as the care provider to deal with this on site.

7.6.5 The Highways Officer also recommends conditions in relation to securing details of electric vehicle charging points, prevention of access gates, provision of drainage to prevent surface water discharge onto the highway, implementation of parking prior to first use and also details of a Construction Environmental Management Plan (CEMP).

7.6.6 Overall, it is considered that the proposal is compliant with Policy SP1, GP4 and T4 of the NLDP 2011-2026 (adopted January 2015).

7.7 Landscaping, Trees and Biodiversity:

7.7.1 Chapter 6 'Distinctive and Natural Placemaking and Well-Being' of Planning Policy Wales (PPW) Edition 12 (updated February 2024) states that planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. A net benefit for biodiversity is the concept that development should leave biodiversity and the resilience of ecosystems in a significantly better state than before, through securing immediate and long term benefit. PPW 12 also advises that a Green Infrastructure Statement (GIS) should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. PPW 12 states that having worked iteratively, in line with Figure 12 through

the stages of The Stepwise Approach, and providing a GIS that the step wise approach has been followed, a scheme of enhancements must be provided to ensure a net benefit for biodiversity.

- 7.7.2 The application has been supported by the submission of a number of reports, including a Preliminary Ecological Assessment, a Reptile Survey, Preliminary Roost Assessment and Ground Level Tree Assessment and a Bat Emergence Survey.
- 7.7.3 The PEA describes the site as currently consisting of mixed scrub, old steel works associated buildings, sparsely vegetated urban land and artificial unvegetated unsealed surface. It has been undertaken to identify any potential ecological constraints to the proposed development and has concluded that the development is unlikely to result in any impact on the identified ecological features, subject to identified survey works and suggested mitigation being undertaken. Section 1 of the report summarises the findings and recommendations and most notably advises that further survey work in relation to European Protected Species (EPS) Bats is undertaken for the two buildings (u1b5-1 & u1b5-2) proposed for demolition.
- 7.7.4 Subsequently, a Bat Emergence Survey has been undertaken and sets out that five Dusk Emergence Surveys were conducted, with no bat emergences observed. There were incidental recordings of four bat species within the area but activity across the area was predominantly foraging and commuting bats. As no bats were observed from either building within the site during the surveys, roosting bats are considered likely absent from both buildings and a License is not required.
- 7.7.5 Overall, the Council's Ecologist is satisfied with the reports that have been submitted and has confirmed they generally agree with the methodology and conclusions. They have noted that a specific Green Infrastructure Statement has not been submitted with the application, and that this would have been useful to set out how the development had been planned to integrate with the surrounding area. However, Officers are satisfied that the submitted reports are acceptable to help understand the existing context, which is not rich in biodiversity value given the historic use of the site, and that suitable biodiversity enhancement can be achieved through the proposed soft landscaping of the site and through the inclusion of the proposed bird and bat boxes to be fitted to the buildings as stated in the PEA. Final details will need to be secured by a planning condition.
- 7.7.6 In terms of trees, an Arboricultural Survey Report has been undertaken and submitted. Predominantly beyond the northern boundary of the site is a group of trees and hedge, with some situated on the site boundary. The building footprint is proposed significantly away from this boundary and there is not anticipated to be any adverse impact on these landscape features, so in line with the Stepwise Approach as per Section 6 of PPW12, avoidance is achieved given these features will remain as an existing Green Infrastructure feature. One tree on the northern boundary is to be felled, however this is due to the survey identifying ill health, as opposed to it being removed to make way for the development. The Report recommends that Arboricultural Method Statement should be produced, however this has not been provided. This document would provide details of the type and location of Root Protection Area fencing that will need to be installed prior to works commencing on site. As such, a planning condition is recommended to secure these details.
- 7.7.7 In terms of soft landscaping for the development, a proposed scheme has been submitted and has been amended during the course of the application in response the Council's Landscape Officer's initial comments. Hedge planting is now proposed along the boundary with Mendalgief Road which is supported, however a concern is still raised regarding the species and size of trees proposed along this boundary in order for a meaningful impact to be made on street scene views.
- 7.7.8 The Landscape Officer has expressed concern regarding the proposed substation, noting that it will be fully visible from Mendalgief Road and lacks planting to provide screening or softening. While these comments are acknowledged, the submitted plans indicate that an approved substation of similar size is located directly south of the proposal, outside the application site and under third party control. That substation, although not yet constructed and with approved plans not located, would be seen first when approaching from the south if it were to be delivered and this would act as a screen. However, there is no guarantee it

would be delivered so should not be relied upon as mitigation. Nonetheless, the design of the proposed substation has been considered acceptable (subject to final details being controlled by planning condition) and it is considered that the development would not result in an adverse impact on landscaping or visual amenity.

- 7.7.9 A further matter raised by the Landscape Officer relates to the depth of hedge planting proposed to the south of parking spaces 19 to 25, which is not considered to be sufficient. This comment is noted, however it is not considered that this would result in such a detrimental impact that would cause an issue to visual amenity of the surrounding area. However, the applicant would have the opportunity to address this should they wish when finalising the final soft landscape scheme for the site.
- 7.7.10 Finally, in terms of the shading of the northern garden area as identified by the Landscape Officer it is accepted that no analysis has been forthcoming despite the request. This section of the outdoor amenity terrace is likely to be in shadow year round given the orientation. However, there are other areas of terrace within the site that would not be and would remain available for use. No significant harmful impact on amenity is anticipated.
- 7.7.11 There are some matters raised by the Landscape Officer that remain outstanding, however these are predominantly around the detail, type and species of the soft landscaping proposed rather than fundamental layout issues. This is not uncommon and as such, there is no reason that these could not be addressed through submission of a revised soft landscape scheme that is secured by planning condition. Therefore, it is recommended that a planning condition is attached to any forthcoming consent controlling this and also details of landscape management and maintenance for a 5 year period.
- 7.7.12 Overall, it is considered that the proposed development is acceptable in relation to landscaping, trees and biodiversity and can deliver biodiversity enhancement. Therefore, it is compliant with Policy SP1, SP9 and GP5 of the NLDP 2011-2026 (adopted January 2015) and Chapter 6 of PPW12.

7.8 Heritage Impact:

- 7.8.1 The site is not located within a Conservation Area and it does not contain any heritage assets however the northern edge is approximately 40 metres south of the Belle Vue Conservation Area and Belle Vue Historic Park and Garden. This registered area contains several listed buildings, with the nearest being Cardiff Road Lodge, approximately 45m away from the site. Of particular relevance is that significant view within the Grade II Registered Park; one which affords views from the elevated Grade II Pavilion and attached Conservatories (Cadw Ref. 16955) and the Grade II Terracing below (Cadw Ref. 16956), through the treed park slopes below and towards the wider city beyond.
- 7.8.2 Notwithstanding the above, the proposed site is detached from those heritage assets, being separated by the substantial park boundary, the wide and busy Cardiff Road, a railway line, and mature vegetation which borders the proposed site to its northern edge. Considering also that the proposed site has formerly been in industrial use, is substantially offset from that identified key view within Belle Vue Park, and given the significant separation of the site from the aforementioned registered assets, the Council's Principal Heritage Officer is satisfied that the proposed development would not impact upon their setting.
- 7.8.3 As such, it is considered that the proposal complies with Policy SP9, CE4 and CE7 of the NLDP 2011-2026 (adopted January 2015).

7.9 Drainage and Water Supply:

- 7.9.1 Dwr Cymru Welsh Water (DCWW) initially offered a holding objection to the proposed development as the site is crossed by public distribution watermains and meter complexes and there were concerns that the proposed building would impact these assets. Subsequently

the applicant has undertaken works on site to locate the assets and DCWW are now satisfied that the site layout no longer has an impact and have removed the holding objection.

7.9.2 DCWW have advised that the water supply system in the immediate vicinity has insufficient capacity to serve the development and will also cause a detriment to existing customer's water supply. It is advised that a Hydraulic modelling assessment is required to establish the scope of any reinforcement works to be completed in advance of making the connection and that this can be secured by a suitably worded planning condition. It is recommended that this condition is attached to any forthcoming consent to ensure reinforcement works as identified in the Hydraulic Modelling Assessment is undertaken prior to the first use of the proposed development.

7.9.3 DCWW have confirmed that the site is located within the Nash Wastewater Treatment Works and foul flows generated by the development can be accommodated within the public sewerage system.

7.9.4 Surface water drainage at the site is subject to the requirements of Schedule 3 of the Flood and Water Management Act 2010 and SAB approval is required. There is no reason to believe the proposed site layout could not accommodate this.

7.10 **Flood Risk:**

7.10.1 The site is largely located within Flood Zone 2 (Rivers and Sea), however a small portion to the south is in Flood Zone 3 (Rivers and Sea) and the eastern boundary is located outside of any flood zone. The proposed care home development is classed as Highly Vulnerable Development (HVD) in flood risk terms.

7.10.2 Planning applications in Zone 2 require careful consideration and must be consistent with the acceptability considerations set out in section 11 of TAN 15. They must also be accompanied by a FCA which clearly describes the flood risk and the risks must be acceptable. Proposals for redevelopment on brownfield land of any vulnerability will need to assist, and be consistent with, the Development Plan strategy to regenerate an existing settlement or achieve key economic or environmental objectives. Where proposals for redevelopment include residential use, local authorities should ensure that such uses do not occur at ground floor level, they will also need to be compatible with the tolerable conditions set out in section 11 and exhibit resilient flood design as described in section 13. In Flood Zone 3 planning applications require the strongest justification and redevelopment proposals will only be appropriate if they are essential to the Development Plan Strategy to regenerate an existing settlement or to achieve key economic or environmental objectives.

7.10.3 The site is previously developed land that is located in a sustainable location and falls within the wider strategic development site that is allocated for Housing provision under the NLDP 2011-2026 (adopted January 2015). As such, its redevelopment is justified as it is considered to make a positive contribution to the regeneration of the existing settlement and to meet the objectives of the NLDP.

7.10.4 **No Increase in Flooding Elsewhere**

The historical use of the site has contained buildings and hardstanding, with a built footprint of approximately 2,370sqm. The proposal reduces the built footprint to approximately 1,110sqm and there is an overall reduction in footprint prior to the previous use on site. NRW have no objection to the application on the grounds of flooding elsewhere.

7.10.5 **Occupiers aware of Flood Risk**

An FCA has been produced that confirms the future occupiers will be made aware of the flood risk and will be advised to sign up to the NRW flood line.

7.10.6 **Escape/Evacuation Routes Present**

No details of an evacuation routes have been included within the FCA, however the eastern area of the site and Mendalgief Road is located outside of any flood zone and would provide an obvious evacuation route that would be predicted to be flood free given that it is located beyond the predicted flood boundaries. Whilst there is a technical non compliance with this test, bearing in mind the building is predicted to be flood free and a clear route outside the flood zone is available there is not an objection.

7.10.7 Flood Emergency Plans and Procedures agreed and in place

The FCA advises a flood warning and evacuation plan will be developed, outlining precautions and actions that should be taken when a flood event is anticipated.

7.10.8 Flood Resistant and Resilient Design

The FCA recommends that the finished floor level should be set 0.15 metres above adjacent ground level with ground levels sloping down from the building.

7.10.9 The development should be designed so that it is flood free during the 1% river flood (1 in 100) and 0.5% flood from sea (1 in 200) plus an allowance for climate change over the lifetime of development

The FCA states that the minimum site level should be set at 8.40 metres AOD and a cross section states the FFL of the building to be 8.75 metres AOD. During the 0.5% (1 in 200 year) plus climate change (to 2125) the flood level is estimated to be 8.18 metres AOD.

The site is not located within a defended zone and as such NRW have confirmed there is no requirement for a breach assessment.

As such, the site is not predicted to flood in this event and is compliant with the requirements of the TAN.

7.10.10 The development should be designed so that over its lifetime in an extreme (1 in 1000 year) event there would be a maximum flood depth of 600mm and maximum velocity of flood water of 0.30 metres/second across the development and 0.15 metres/second in properties.

The FCA states that the minimum site level should be set at 8.40 metres AOD and a cross section states the FFL of the building to be 8.75 metres AOD. During the 0.1% (1 in 1000 year) plus climate change (to 2125) the flood level is estimated to be 9.00 metres AOD. As such, the maximum flood depth would not exceed 600mm if the site was set at 8.40 metres AOD. The FFL of the building is stated as being 8.75 metres AOD, so would be less. NRW are satisfied that this ensures the proposed development complies with Figure 6 of TAN 15. The FCA has not provided predicted velocity of flood water.

As such, the site is not predicted to flood beyond the tolerable flood depth limits and is compliant with the requirements of the TAN.

7.10.11 Flood Risk Conclusion

The redevelopment of the site is justified as set out earlier within this section of the report, and the FCA has demonstrated that the proposal can comply with the requirements of TAN 15. NRW have undertaken a technical assessment of the FCA and have confirmed that they have no objection.

The proposed building would be located in Flood Zone 2, and it is noted that TAN 15 advises the Local Authority should ensure that redevelopment proposals for residential use do not include this at ground floor. Bedrooms are proposed at ground floor, however the FCA has demonstrated that the building would not flood in the 1 in 200 year event and in the 1 in 1000 year event it complies with the tolerable flood depth as per the TAN. Ground floor residents would also have access to large communal facilities at first and second floor which includes lounge and dining areas, tea room, library and bathroom facilities.

NRW are satisfied that the risks and consequences of flooding can be managed to an acceptable level and have offered no objection to the proposal. The Local Planning Authority agrees with this conclusion also.

7.10.12 The proposal is compliant with Policy SP3 of the NLDP 2011-2026 (adopted January 2015).

7.11 **Air Quality & Contamination:**

7.11.1 The site is not located in an Air Quality Management Area (AQMA) or within a Buffer Zone of an AQMA. An Air Quality Statement has been submitted and has demonstrated there to be no significant impact on Air Quality. The Council's Senior Scientific Officer (SSO) has offered no objections to the proposal.

7.11.2 The proposed development includes features that will make a positive contribution to local air quality including, Electric Vehicle Charging Points, increased soft landscaping of the site and provision of cycle storage to encourage active travel. All of these features are to be secured by a planning condition to ensure they are implemented.

7.11.3 In terms of contamination, a Geoenvironmental Appraisal has been submitted that summarises all previous investigations and remediation activities that have occurred at the site as part of its wider regeneration. It is noted that after examining this report that there is evidence of some residual issues with elevated diesel range organics / VOCs, radon (the site is within the 10% to 30% band) and asbestos fibres. The SSO considers that it seems likely that an impermeable membrane / radon protection will need to be installed under the proposed care home as part of the remediation strategy. As such, conditions have been requested by the SSO in relation to contamination, unforeseen contamination and imported materials. Similarly, NRW have requested conditions in relation to contamination to ensure it is dealt with appropriately and these can be amalgamated with the SSO's request to form appropriately worded conditions. NRW have also requested a CEMP condition to protect the environment during the construction phase of development.

7.11.4 The proposal complies with Policy SP1 and GP7 of the NLDP 2011-2026 (adopted January 2015).

8. **OTHER CONSIDERATIONS**

8.1 ***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.

8.2 ***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.

8.3 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.

A Socio-economic Duty is also set out in the Equality Act 2010 which includes a requirement, when making strategic decisions, to pay due regard to the need to reduce the

inequalities of outcome that result from socio-economic disadvantage.

- 8.4 The above duties have 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. There would also be no negative effects which would impact on inequalities of outcome which arise as a result of socio-economic disadvantage.

8.6 ***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.

8.7 ***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.

9. CONCLUSION

- 9.1 Overall, it is considered that the proposed development has demonstrated compliance with the relevant policies of the Newport Local Development Plan 2011-2026 (adopted 2015).
- 9.2 It is recommended that planning permission is granted with conditions, subject to the conditional regime.

10. RECOMMENDATION

GRANTED WITH CONDITIONS

Approved Plans and Documents

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

Drawing No. NP20 2NW-A-03 – Proposed Site Plan;
Drawing No. NP20 2NW – A – 04 – Proposed Floor Plans;
Drawing No. NP20 2NW – A – 05 – A – Proposed Elevations Rev A 23/10/2025;
Drawing No. 6375-JPG-ZZ-ZZ-DR-D-1401-S2-P02-Foul Water Drainage Strategy;
Drawing No. 6375-JPG-ZZ-ZZ-DR-D-1400-S2-P04-Surface Water Drainage Strategy
2025-05-08 6247 FCA Final v1.2;
240903 LNT001-019-002 PEA - REV 2-Part 1 of 2;
240903 LNT001-019-002 PEA - REV 2-Part 2 of 2;
241028 LNT001-019 Mendalgief Road Reptile Report;
250110 LNT001-019-005 Mendalgief Road GLTA PRA
LNT001-019-006/001/001 – Bat Emergence Survey
240726 LNT001-019-001 Mendalgief Road Newport Arb Survey 001
Report VA5390.240705.NIA - Noise Impact Assessment;
Transport Statement and Travel Plan;
APS_P1232A_A1 – Air Quality Statement.

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

Pre- commencement conditions

Construction Environment Management Plan (CEMP)

02 No development 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 (but not be limited to):

- Construction traffic management plan (including routes and provision of access to site);
- Details of Parking for contractors, site operatives and visitors;
- 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;
- Fencing, Security and Hoarding details;
- Storage and Compound details;
- Resource Management: details of fuel and chemical storage and containment;
- 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;
- Noise and Vibration Management;
- Dust, Emissions and Odour Management;
- Lighting Details;
- Site Waste Management Plan;
- Contacts and complaints.

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

Reason: To ensure necessary management measures are agreed and implemented for the protection of residential amenity, the environment and matters of highway safety during construction in accordance with Policy GP2, GP4, GP7 of the NLDP 2011-2026 (adopted January 2015).

Tree Protection Plan

03 No development, to include demolition, shall commence until a Tree Protection Plan (in accordance with BS 5837:2012) has been submitted to and approved in writing by the Local Planning Authority.

The Tree Protection Plan shall contain full details of the following:-

- (a) Trees and hedges to be retained/felled clearly identified and marked on a plan;
- (b) Trees and hedges requiring surgery;
- (c) The root protection areas to be identified on plan for retained trees and hedges;
- (d) The type and detail of the barrier fencing to be used to safeguard the root protection areas;
- (e) The precise location of the barrier fencing, to be shown on plan.

The tree protection fencing shall be installed in accordance with the approved details prior to any development and thereafter 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 important landscape features at the site in accordance with Policy SP1 and GP5 of the NLDP 2011-2026 (adopted January 2015).

Bat Method Statement

04 Prior to the commencement of development, including demolition, a Bat Method Statement including measures as recommended in Section 6 of the approved document Bat Emergence Survey shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details. Reason: To agree precautionary measures to protect European Protected Species in accordance with Policy GP6 of the NLDP 2011-2026 (adopted January 2015).

Scheme of Soft Landscaping

05 Notwithstanding the information submitted, prior to the commencement of development (other than demolition) a scheme of soft landscaping, hedge and tree planting for the site (indicating numbers, species, heights of planting and location as well as details of a phased implementation) shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in line with the approved phasing and in its entirety by a date not later than the end of the full planting season immediately following the first beneficial occupation of the development or the completion of that development, whichever is the sooner. Thereafter the trees, hedges, 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. The monitoring and remediation of the landscape mitigation planting during the 5 years establishment phase is to be confirmed by:

- a) A short report with photo evidence by the landscape consultant to be submitted to and approved in writing by Newport City Council immediately following the completion of the landscape scheme and showing the site before and after planting, seeding, fencing has been undertaken, and to confirm this is all in line with the approved documents e.g. plant species, plant size, planting operations etc; and
- b) A report with photo evidence by the landscape consultant to be submitted to Newport City Council by 31st July for year 2 and 5 of the five-year establishment period (and thereafter approved in writing by the Local Planning Authority) summarising any issues with planting or seeding, any replacement planting required and the timetable for replacements.

For the purposes of this condition, a full planting season shall mean the period from October to April.

Reason: To secure the satisfactory implementation and maintenance of the soft landscape scheme and green infrastructure in the interests of visual amenity, ecological enhancement and placemaking having regard to policies GP2, GP5 and GP6 of the NLDP 2011-2026 (adopted January 2015).

Proposed Site and Finished Floor Levels

06 Prior to the commencement of development (other than demolition) a plan outlining final details of site levels and finished floor levels for the building shall be submitted to and approved in writing by the Local Planning Authority and shall be no less than 8.40 metres AOD.

The development shall be undertaken in accordance with the approved details.

Reason: To ensure that the development meets with the requirements of TAN 15 and complies with Policy SP3 of the NLDP 2011-2026 (adopted January 2015).

Species Enhancement Plan

07 Prior to the commencement of development (other than demolition) a species enhancement plan (SEP) as recommended in Chapter 6 of the Preliminary Ecological Appraisal and an Implementation Timetable shall be submitted to and approved in writing by the Local Planning Authority. The SEP shall include but not be limited to details of;

- Bird and Bat Boxes integrated into the buildings design;
- Hedgehog highways to provide safe access in and out of the site;
- Bug hotels, compost heaps and other refugia within a variety of locations across the site.

The measures outlined in the SEP shall be implemented in accordance with the approved details.

Reason: To ensure biodiversity enhancement is achieved at the site in accordance with Policy GP5 of the NLDP 2011-2026 (adopted January 2015) and Chapter 6 of PPW12.

Contamination Condition

08 No development, (other than demolition) shall commence until:

- An appropriate Desk-Study of the site has been carried out, to include a conceptual model and a preliminary risk assessment, and the results of that study have been submitted to and approved in writing by the Local Planning Authority.
- If potential contamination is identified then an appropriate intrusive site investigation shall be undertaken and a Site Investigation Report to (BS10175/2011), containing the results of any intrusive investigation, shall be submitted and approved in writing by the Local Planning Authority.
- Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, a Remediation Strategy, including Method statement and full Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority.
No part of the development hereby permitted shall be occupied until:
- Following remediation a Completion/Verification Report, confirming the remediation has being carried out in accordance with the approved details, shall be submitted to, and approved in writing by, the Local Planning Authority.
- Any additional or unforeseen contamination encountered during the development shall be notified to the Local Planning Authority as soon as is practicable. Suitable revision of the remediation strategy shall be submitted to and approved in writing by the Local Planning Authority and the revised strategy shall be fully implemented prior to further works continuing.

Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed, in accordance with Policy GP2 and GP7 of the NLDP 2011-2026 (adopted January 2015).

Pre – construction conditions

External Materials

09 Prior to the construction of the building, final details/samples of materials and finishes (including solar panels) to be used on the external surfaces of the building hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out using the approved materials.

Reason: To ensure the development is carried out in an acceptable manner in accordance with Policy GP2 and GP6 of the NLDP 2011-2026 (adopted January 2015).

Details of Hard Surfacing

10 Prior to the laying of any hard surface at the site, details/specification shall firstly be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and retained in that state thereafter.

Reason: To ensure the development is carried out in an acceptable manner in accordance with Policy GP2 and GP6 of the NLDP 2011-2026 (adopted January 2015).

Fume Extraction

11 Fumes from the food preparation areas shall be mechanically extracted and the extraction system shall be provided with de-greasing and de-odourising filters. Details of the extraction equipment (including scaled schematics, location plans, odour attenuation measures and future maintenance) shall be submitted to and approved in writing by the Local Planning Authority prior to its installation, and the equipment shall be installed in accordance with the approved details prior to the commencement of use for the cooking of

food. The fume extraction shall thereafter be maintained and retained as approved for the lifetime of the development.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected and in the interests of visual amenities in accordance with Policy GP2 and GP7 of the NLDP 2011-2026 (adopted January 2015).

Details of Substation Enclosure

12 Prior to construction of the substation hereby approved, details of the design, appearance and materials of the substation building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and retained in that state thereafter.

Reason: To ensure the development is carried out in an acceptable manner in accordance with Policy GP2 and GP6 of the NLDP 2011-2026 (adopted January 2015).

Pre –occupation conditions

Hydraulic Modelling Assessment

13 No buildings on the application site shall be brought into beneficial use until such time as reinforcement works to the local water supply network, at which the development shall connect, have been completed as identified in a Hydraulic Modelling Assessment that has firstly been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the site is served by a suitable potable water supply in accordance with Policy SP1, SP4 and GP3 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

Details of External Stores

14 The cycle, refuse and PV stores shall be provided in accordance with details that have firstly been submitted to and approved in writing by the Local Planning Authority prior to the first use of the development hereby approved. The approved details shall be installed prior to the first use and shall be retained available for use at all times thereafter.

Reason: In the interests of promoting sustainable travel to the site and provision of suitable waste storage facilities and in the interests of good design and visual amenity in accordance with Policies SP1, GP2, GP4 and W3 of the NLDP 2011-2026 (adopted January 2015).

Foul Drainage Provision

15 Prior to the occupation the building hereby approved, the associated foul drainage shall be provided in accordance with the approved details and shall be retained thereafter for the lifetime of the development.

Reason: To protect public health and safety and ensure no pollution of or detriment to the environment in accordance with Policy GP2 and GP3 of the NLDP 2011-2026 (adopted January 2015).

Provision of Parking

16 Prior to the first use of the building hereby approved, the approved parking layout (including Electric Vehicle Charging Points) shall be provided in full, clearly demarcated on the ground, made available for use and retained in that state for the parking of vehicles thereafter for the lifetime of the permission.

Reason: To ensure adequate on site parking provision in the interests of highway safety in accordance with Policy GP4 and T4 of the NLDP 2011-2026 (adopted January 2015).

Obscure Glazing of Terrace Balustrade

17 Prior to the first use of the building hereby approved, the 1.80m high balustrade proposed to enclose the first floor terrace in the western elevation shall be fitted with obscure glazing to a minimum of Pilkington Obscurity Level 3, and retained in that state thereafter for the lifetime of the development.

Reason: To protect the amenity of neighbouring occupiers in accordance with Policy GP2 of the NLDP 2011-2026 (adopted January 2015).

Provision of Boundary Enclosures

18 Prior to the first use of the building hereby approved, the boundary treatments shall be constructed as per the details shown on approved Drawing No. NP20 2NW-A-03 – Proposed Site Plan and retained in that state thereafter for the lifetime of the development. Reason: To ensure the development is carried out in an acceptable manner in accordance with Policy GP2 and GP6 of the NLDP 2011-2026 (adopted January 2015).

General conditions

No Piling or Penetrative Foundation Design

19 No piling or other penetrative foundation works shall be carried out unless otherwise approved in writing by the Local Planning Authority. Any request for such approval shall be supported by sufficient information to demonstrate that the proposed method would not result in an unacceptable risk to groundwater. The development shall only be carried out in accordance with the approved details thereafter.

Reason: To prevent pollution of controlled waters from inappropriate penetrative methods, in accordance with Policy GP2, GP5 and GP7 of the NLDP 2011-2026 (adopted January 2015).

Unforeseen Contamination

20 Any unforeseen contamination encountered during development, shall be notified to the Local Planning Authority in writing as soon as is practicable and all development shall cease. An appropriate ground investigation and/or remediation strategy shall be submitted to and approved in writing by the Local Planning Authority, and the approved strategy shall be implemented in full prior to further works on any affected part of the site. Following remediation and prior to the occupation of any affected building, a Completion/Validation Report, confirming the remediation has been carried out in accordance with the approved details, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed, in accordance with Policy GP2 and GP7 of the NLDP 2011-2026 (adopted January 2015).

PD Rights – Means of Enclosure

21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking or re-enacting that order), Schedule 2, Part 2, Class A, other than those approved no wall, fence, gate, barrier, hedge or other means of enclosure shall be erected, improved, altered or planted without the prior written permission of the local planning authority.

Reason: To ensure the development is carried out in an acceptable manner and to preserve matters of highway safety in accordance with Policy GP2, GP4 and GP6 of the NLDP 2011-2026 (adopted January 2015).

Noise Assessment

22 The development shall be undertaken in accordance with the measures set out in approved document Report VA5390.240705.NIA - Noise Impact Assessment.

Reason: To ensure future amenity is preserved in accordance with Policy GP2 of the NLDP 2011-2026 (adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: NP20 2NW - A-01 - LOCATION PLAN; NP20 2NW - A-02 - TOPOGRAPHICAL SURVEY; Pre App Consultation Report; Sustainability and Energy Statement (May 2025); Planning Statement (April 2025); Letter from Chris Brady dated 26th November 2026 RE: Welsh Water Holding Objection; Design and Access Statement; Covering Letter (16th May 2025); 6375-JPG-XX-XX-RP-D-0627-S2-P03-Mendalgief Road Drainage Impact Assessment-Part 1, 2, 3 and 4

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies Strategic Policies: SP1 Sustainability, SP2 Health, SP5 Flood Risk, SP9 Conservation of the Natural, Historic and Built Environment; SP17

Employment Land; SP18 Urban Regeneration, GP1 Climate Change, GP2 General Amenity; GP4 Highways and Accessibility; GP5 Natural Environment; GP6 Quality of Design; GP7 Environmental Protection and Public Health; H1 Housing Sites; T4 Parking; T5 Walking and Cycling; W3 Provision for Waste Management Facilities in Development were relevant to the determination of this application.

03 As of 1st October 2012 any connection to the public sewerage network (foul or surface water sewerage) for the first time will require an adoption agreement with Dwr Cymru Welsh Water. For further advice contact Dwr Cymru Welsh Water on 01443 331155.

04 The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.